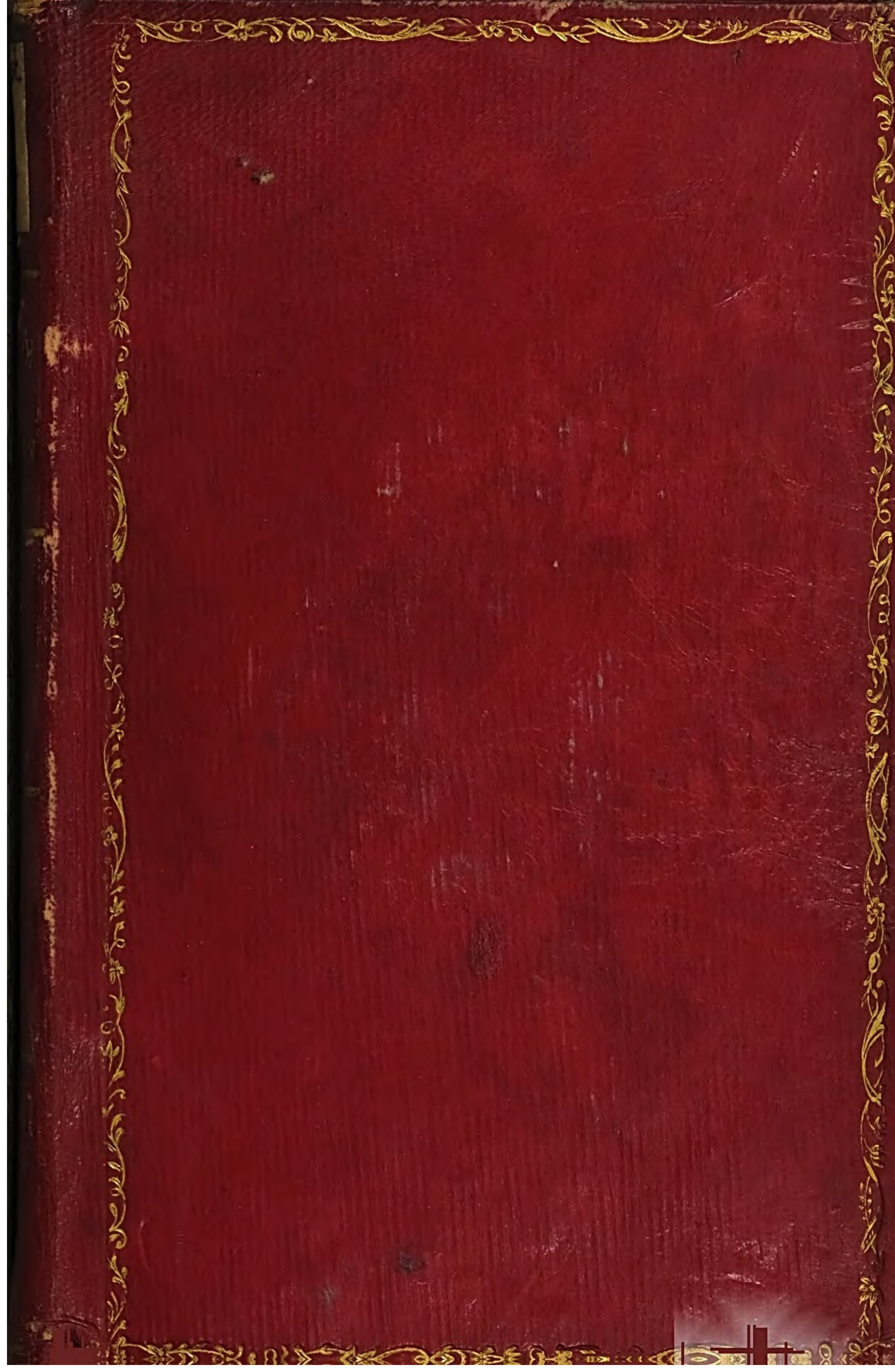
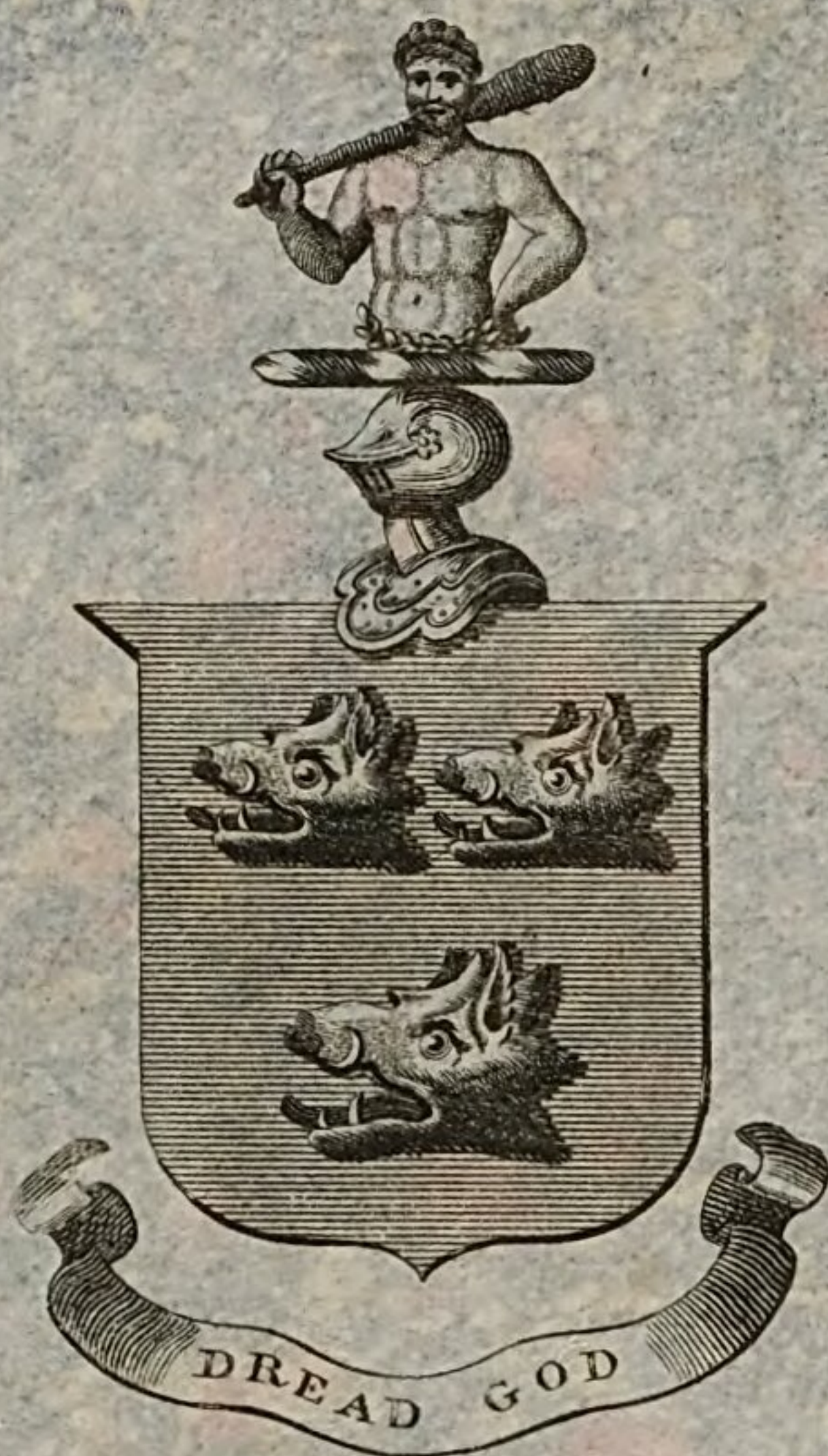






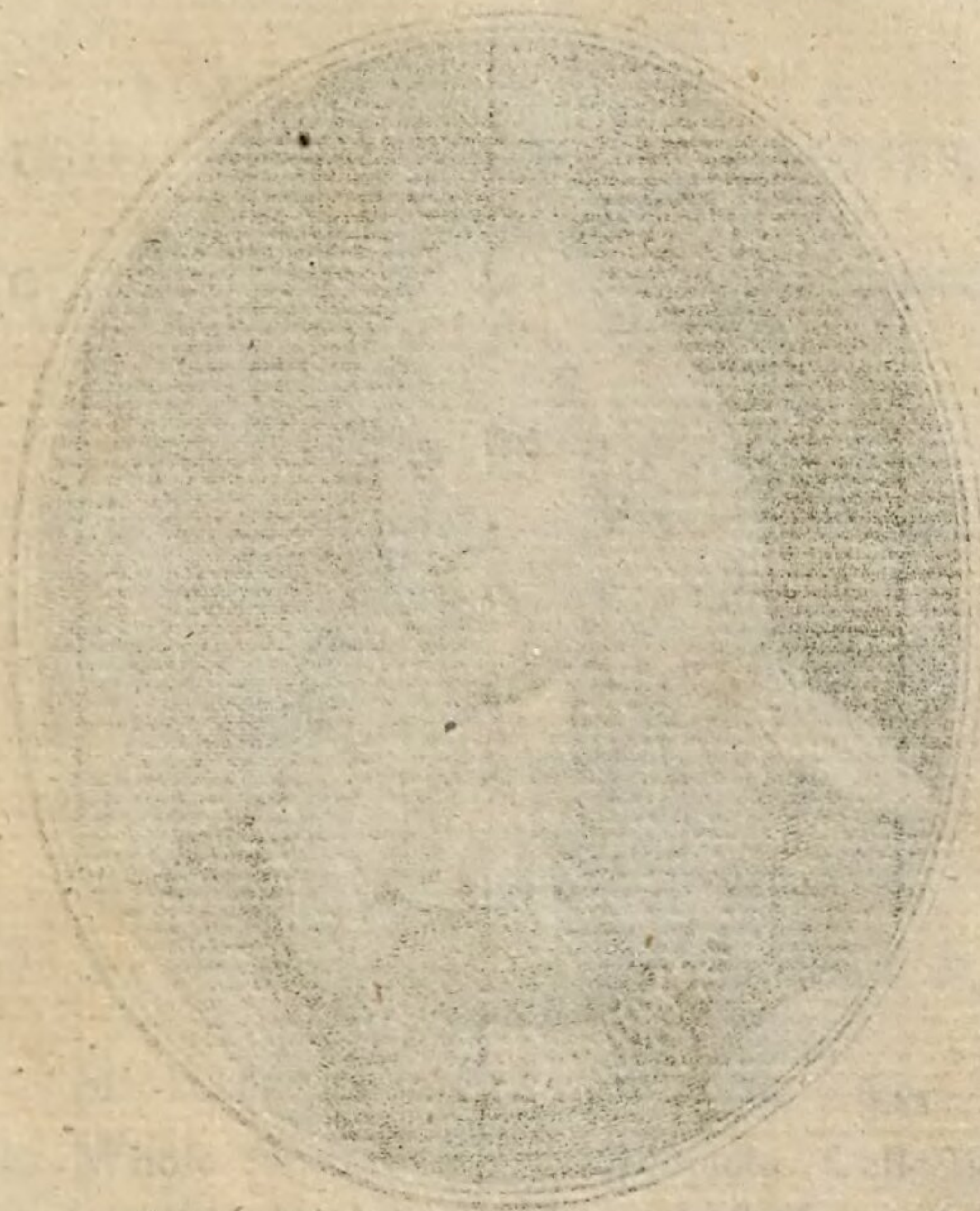
CAPT^N. GORDON,
Royal Navy.

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LORD CAMDEN.

T H E
N O R T H B R I T O N,

XLVI. Numbers complete.

By JOHN WILKES, Esq. C. CHURCHILL,
A N D O T H E R S.

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THE
NORTH BRITON

XLVI. Numbers complete.
BY JOHN WILKES, ESQ. C. CHURCHILL.

AND OTHERS
ILLUSTRATED WITH
USEFUL AND EXPLANATORY NOTES.



COLLECTED BY
HIS ROYAL HIGHNESS
THE DUCAL PRINCE OF
SALZBURG

THE
NORTH BRITON
AND
OTHERS

THE
NORTH BRITON
AND
OTHERS

THE
NORTH BRITON
AND
OTHERS

THE
NORTH BRITON
AND
OTHERS

C O N T E N T S

O F T H E F I R S T V O L U M E

O F T H E

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A P P E N D I X.

[The following are the papers relating to the Prosecution of John Wilkes, esq; as the author and publisher of the 45th number of the North Briton.]

MAGNA CHARTA, Cap. 29.

NULLUS Liber Homo *capiatur*, vel *imprisonetur*, aut *disseisiatur*, de libero tenemento suo, vel LIBERTATIBUS, vel LIBERIS CONSUETUDINIBUS SUIS, aut *utlagetur*, aut *exulet*, aut *aliquo modo destruatur*. Nec super eum *ibimus*, nec super eum *mittemus* nisi per legale iudicium parium suorum, vel per *legem Terræ* *.

* No freeman may be apprehended or imprisoned, or disseised of his freehold, or LIBERTIES or FREE CUSTOMS, or be outlawed or banished, or any wise destroyed. Nor will we pass upon him, nor condemn him, but by the lawful judgment of his peers, or by the law of the land.

AS the apprehension and commitment of John Wilkes, esq; member of parliament, to the Tower, must have raised the curiosity of many people, to know the circumstances attending it, the following detail of simple facts (upon which every reader will make his own comments) cannot be unseasonable, and is perhaps absolutely necessary to be laid before the public.

On Saturday the 30th of April 1763, early in the forenoon, three of his Majesty's messengers, by virtue of a warrant * from the secretary

* George Montague Dunk earl of Halifax viscount L. S. Sunbury and baron Halifax one of the lords of his Majesty's most honourable privy council lieutenant general of his Majesty's forces and principal secretary of state.

These are in his Majesty's name to authorize and require you (taking a constable to your assistance) to make strict and diligent search for the authors printers and publishers of a seditious and treasonable paper intituled the North Briton Number XLV. Saturday April 23 1763 printed for G. Kearsly in Ludgate Street London and them or any of them having found to apprehend and seize together with their papers and to bring in safe custody before me to be examined concerning the premises and further dealt with according to law. And in the due execution thereof all mayors sheriffs justices of the peace constables and all other his Majesty's officers civil and military and loving subjects whom it may concern are to be aiding and assisting to you as there shall be occasion and for so doing this shall be your warrant. Given at St. James's the twenty-sixth day of April in the third year of his Majesty's reign.

Directed to

Nathan Carrington John Money
James Watson and Robert Blackmore
Four of his Majesty's messengers in ordinary

Signed,

DUNK HALIFAX.

N. B. The

tary of state, seized on the person of the said John Wilkes, esq; member of parliament.

On the intimation of Mr. Wilkes being in custody, a motion was made in the court of Common Pleas, then sitting in Westminster Hall, for a Habeas Corpus, which was granted; though by reason of the Prothonotary's office not being open, such Habeas Corpus could not be sued out till four o'clock in the afternoon.

Several gentlemen, friends and acquaintance of the said John Wilkes, esq; member of parliament, applied for admittance into his house, which was then peremptorily refused by a *pretended* order from the secretary of state; which order, though repeatedly requested, was not or could not be produced.

As no proper or *legal* authority appeared to countenance such refusal, the gentlemen thought themselves no ways obliged to obey the *verbal* commands of officers acting only under a *verbal* authority; and entered accordingly without further question or molestation from *those* officers.

Mr. Wood, the deputy secretary of state, being sent for, demanded the reason of such *forcible* entry: it was replied, *no* force had been used, and that the gentlemen thought themselves *legally* justified in what they had done.

N. B. The officers had a *verbal* order to put this warrant in execution, by entering forcibly into the house of John Wilkes, esq; member of parliament, at midnight; and those officers are now threatened with the loss of their places for not complying with such *verbal* instructions.

Soon after this (whether sent for or not does not appear) Philip Carteret Webb, esq; solicitor to the treasury, came into the room, and some *private* conversation between him and Mr. Wood having passed, the latter asked, if any gentleman then present would attend or inspect the officers while they were sealing up all papers in the house of Mr. Wilkes; or used words to that or the like effect.

Mr. Wilkes having declined accepting of the like offer, no person then present thought himself authorized to take upon him such inspection.

It is remarkable, to evade the *Habeas Corpus*, the custody of Mr. Wilkes was changed no less than *four times in half a day*, as if it was a determined point to insult, and make a mockery of the most important act of parliament, which ever passed for the liberty of the subject. On Saturday, April 30, 1763, about noon, we find him in the custody of Robert Blackmore and James Watson, under the *General Warrant*; he is soon carried by them to the secretary of state's, then he is in the custody of the earls of Egremont and Halifax, their under secretaries, law clerk, and solicitor to the Treasury; they transfer him over to George Collins and Thomas Ardran; and lastly, George Collins and Thomas Ardran deliver him to the deputy-lieutenant of the Tower, to be kept a *close* prisoner. The court of Common Pleas being sitting at the time of the messengers seizing Mr.

Wilkes

Wilkes at his own house by the *General Warrant*, application was directly made to that court for the *Habeas Corpus*, which was ordered to issue *immediately* *. Mr. Wilkes himself informed the secretaries of state of this; and the affidavits, the one of Richard Hopkins, esq;

* (C O P Y.)

In the Common Pleas.

The H A B E A S C O R P U S.

Jones. } GEORGE the third by the grace of God of Great-Britain, France, and Ireland, King, defender of the faith, and so forth. To Robert Blackmore and James Watson, greeting, We command ye, and each of ye, that ye have the body of John Wilkes, esq; by whatsoever name, or addition of name, he may be named or charged under your custody, taken and detained as it is said, together with the day and cause of the taking and detaining the said John Wilkes before the justices of our court of Common Bench at Westminster, in the great hall of Pleas, there *immediately* after the receipt of this our writ, to do and receive all those things which the same court shall then and there consider of in this particular. Witness, Sir Charles Pratt, Kt. at Westminster, the 30th day of April, in the third year of our reign.

April 30, 1763.

By Rule of Court.

Endorsed, H. GOULD.

Beardmore by Stannynough.

Mem. Delivered copy to Mrs. Watson, and the Original to Mrs. Blackmore, before eight o'clock.

A. B. [Arthur Beardmore.]
April 30, 1763.

* member for Dartmouth, a clerk of the board of Green Cloth, the other of John Walsh, esq;
 † member for Worcester, will prove that the law

* (C O P Y.)

In the Common Pleas. Mr. H O P K I N S's Affidavit.

RICHARD HOPKINS, of the parish of St. George, Hanover-Square, esquire, maketh oath, and saith, that soon after this honourable court had on Saturday last granted a rule on behalf of John Wilkes, esquire, who was then in custody, he went with John Walsh, esquire, to the house of the right honourable the earl of Halifax, in Great-George Street, Westminster, and requested the favour to speak with the said John Wilkes, where they were at first told they could not speak to the said John Wilkes; but afterwards this deponent, and the said John Walsh, were informed that they might speak with the said John Wilkes in the presence of Philip Carteret Webb, esquire, solicitor for the crown, and Lovell Stanhope, esquire; and thereupon John Walsh did (*in the presence and bearing of Philip Carteret Webb, Lovell Stanhope, and of this deponent*) inform the said John Wilkes, that this honourable court had granted him a writ of Habeas Corpus.

RICHARD HOPKINS.

Sworn May 2, 1763, in the New Treasury chamber at Westminster, before me,

H. GOULD.

† (C O P Y.)

In the Common Pleas. Mr. W A L S H's Affidavit.

JOHN WALSH, of the parish of Saint George, Hanover-Square, esquire, maketh oath and saith, that he was present on Saturday last, in this honourable court, at a time when the rule was moved for, and granted on behalf of John Wilkes, esquire, who was then in custody, for leave to issue out a Writ of Habeas Corpus, in order to bring the said John Wilkes into court, together with the cause of his detention. And saith, that very soon after this honourable court had granted a rule for that purpose, he went to the house of the right honourable the

law council to the secretaries of state, and the solicitor to the Treasury, knew this, while Mr. Wilkes was at lord Halifax's house. He was soon hurried away to the Tower *, and thus the first *Habeas Corpus*, directed to Blackmore and Watson, was wickedly evaded. It was scarcely possible for the friends of Mr. Wilkes to use more expedition in a law business. The writ

the earl of Halifax, in Great George-street, Westminster, and requested the favour to speak to the said John Wilkes, where he was at first told that he could not speak to the said John Wilkes; but was afterwards informed, he might speak to the said John Wilkes in the presence of Mr. Philip Carteret Webb, solicitor of the treasury, and Lovell Stanhope, esquire; and thereupon *did (in the presence and hearing of Philip Carteret Webb and Lovell Stanhope) inform the said John Wilkes, that this honourable court had granted him a writ of Habeas Corpus.*

JOHN WALSH.

Sworn May 2, 1763, in the New Treasury chamber at Westminster, before me,

H. GOULD.

* (C O P Y.)

Charles earl of Egremont, and George Dunk earl of Halifax, lords of his Majesty's most honourable privy council, and principal secretaries of state, &c.

THESE are, in his Majesty's name, to authorise and require you to deliver into the custody of the constable of the Tower of London, the body of John Wilkes, esq; for which this shall be your warrant. Given under our hands and seals this thirtieth day of April, 1763.

EGREMONT. (L. S.)

DUNK HALIFAX. (L. S.)

To George Collins and Thomas Ardran, two of his Majesty's messengers in ordinary.

A 4

C O

writ was moved for at noon, and granted immediately ; as soon as the office was opened in the afternoon, it was expedited, and served on each of the messengers the same evening : in vain, for ministers and lawyers were determined the subject should not avail himself of an act of parliament against an act of power. This

(C O P Y .)

Charles earl of Egremont and George Dunk earl of Halifax lords of his Majesty's most honourable privy council and principal secretaries of state.

These are, in his Majesty's name, to authorize and require you to receive into your custody the body of John Wilkes, esq; herewith sent you, for being the author and publisher of a most infamous and seditious libel, intituled the North Briton, Number 45, tending to inflame the minds and alienate the affections of the people from his Majesty, and to excite them to traiterous insurrections against the government, and to keep him close until he shall be delivered by due course of law, and for so doing this shall be your warrant. Given at St. James's, the 30th day of April, 1763, in the third year of his Majesty's reign.

Signed EGREMONT. (L. S.)
DUNK HALIFAX. (L. S.)

To the right hon. John lord Berkely of Stratton constable of his Majesty's Tower of London, or to the lieutenant of the said Tower, or his deputy.

(C O P Y .)

RECEIVED this 30th day of April, 1763, of Mr. George Collins and Mr. Thomas Ardran, two of his Majesty's messengers, the body of John Wilkes, esq; committed to the Tower by the right hon. the earls of Egremont and Halifax.

Tower,

CHARLES RAINSFORD,
Deputy lieutenant.

atrocious

atrocious proceeding remains still to be enquired into, still to be punished.

Since the time of Charles II. when the *Habeas Corpus Act* passed, I believe so deliberate, so fraudulent, and so barefaced an evasion of it, when all the delinquents were apprized beforehand of their guilt, was never attempted. The answer of the two messengers, Blackmore and Watson, to the most peremptory order of a court of justice to bring the prisoner immediately before them, together with the cause of his seizure, was only *that they had him not in their custody*, having purposely given him into that of another. No court of justice was ever before so trifled with by the low tools of power, when the liberty of an Englishman was at stake. The law commanded, but its authority was trampled upon by the officers of the crown. I have not heard of any punishment on either of the messengers, nor of the secretaries of state being so much as questioned on this head; but I am sure, if such a return to a *Habeas Corpus* is deemed sufficient or satisfactory, it is in the power of a minister to seize illegally any member of either house, and by dodging from place to place, and shifting the custody of the prisoner, not *four times in half a day*, but only four times a month, to imprison him for life even within an island, which in vain boasts of the firm bulwarks of its liberty, and the protection which the laws afford the lowest subject against the most powerful.

I shall

I shall only farther observe, that these two secretaries were the political legacy of the earl of Bute in 1763, on his nominal *abdication*.

His solicitor and one of his council, soon after they heard of such commitment, went to the Tower in order to consult with the said John Wilkes, about the *legal* methods to be pursued for his enlargement, but were denied admittance *.

Philip

* *The Affidavit of John Gardiner.*

London, 7 JOHN GARDINER, of the Inner Temple, esq;
to wit, § barrister at law, maketh oath and faith, that about twelve or one o'clock in the forenoon, on Saturday the 30th of April 1763, he (being in Westminster-hall) heard that a motion was then making in his Majesty's court of Common Pleas, for an Habeas Corpus to bring up the body of John Wilkes, esq; who, as this deponent was then informed, was a prisoner in the custody of some of his Majesty's messengers in ordinary; that he immediately went into court to see the event of the motion. That as soon as the court had ordered the writ of Habeas Corpus to issue, he went to the house of Mr. Wilkes, at the door of which he saw several gentlemen (friends of Mr. Wilkes) who informed him that they could not gain any admission into the house; and further told, that the King's messengers were in the house, and kept the door thereof: whereupon he went up to the door and knocked, which was soon opened, and kept a little way open, by some person or persons within. He then asked Mr. Wilkes's servant, who appeared through the opening of the door, whether his master was within? The servant answered, he was not; and added, Mr. Wilkes had been carried to, and then was at lord Halifax's. He asked the said servant to let him into Mr. Wilkes's house; to which the servant made answer, that it was not in his power, for that the messengers were in possession of the door. He then desired to see such messengers: upon which one of the said messengers (whose name was Blackmore) came in sight. He then asked the messenger, by what authority he kept Mr. Wilkes's

Philip Carteret Webb, esq; solicitor to the treasury, then being present in the said major Rainsford's room, Mr. Wilkes's council and solicitor applied to the said Mr. Webb for admittance to the said Mr. Wilkes.

Philip

Wilkes's friends out of his house: the messenger made answer that he acted by virtue or under the authority of the secretary or secretaries of state. He desired such messenger to shew his authority, or produce the orders of the secretaries of state; which such messenger refusing to produce, this deponent then turned his discourse to the servant of Mr. Wilkes, and asked him if his master had given any orders to keep his friends out of his house? Such servant replied, his master had given no such orders; whereupon he turned round to the aforesaid gentlemen, whom he found at Mr. Wilkes's door, and desired them to follow him, and with one push, or shove, opened the door, and got into the house, and went with all the said gentlemen into the front parlour; (among the said gentlemen were, Mr. Townsend, Mr. Walfsh, Mr. Hopkins, Mr. Cotes, Mr. Phillips, and several others:) this deponent then talked with the said messengers, and told them, that he thought they had acted in a most illegal and unjustifiable manner, and that he apprehended they would be severely punished for such an outrage upon the laws of their country. Soon after, Wood, the deputy secretary of state, came into the parlour, and immediately interrogated the messengers (in a passionate tone of voice) who had sent for him? Which question the messengers not immediately answering, Mr. Wood repeated the same once again or more. Some of the messengers then said, they had all sent for him, for that those gentlemen (meaning the friends of Mr. Wilkes) would force their way into the house. Mr. Wood then asked (in the same haughty tone of voice) who was the person that would force his way, or would come in? or used words to that or the like purport or effect. This deponent made answer, and declared, that he was one of the persons that would come into the house; but that he knew of no force by himself or the friends of Mr. Wilkes: and all, or most of the gentlemen, who were friends of Mr. Wilkes, joined in the said declaration. Soon after this, one Philip Carteret Webb made his appearance in the

Philip Carteret Webb, esq; desired Mr. Rainsford to allow such admittance, which he would indemnify; the major, with a spirit becoming a good officer, replied, he could not disobey orders.

Philip

the house, and entered into some private discourse with Mr. Wood: after which, the right honourable the earl Temple came into the parlour, when some discourse passed between the earl, Mr. Wood, and Mr. Webb; lord Temple was asked, if he chose to attend the officers or messengers, while they were sealing up all Mr. Wilkes's papers; which his lordship refused. Mr. Wood and Mr. Webb then made the same offer to this deponent, and to the other friends of Mr. Wilkes. Soon after, this deponent quitted the house of the said Mr. Wilkes, and went with † Mr. Beardmore (the solicitor of Mr. Wilkes) to the Tower of London, where Mr. Wilkes had just been committed a prisoner; and applied to major Rainsford, who then commanded in the Tower, and desired to be admitted to Mr. Wilkes, in order to consult with him, and fix upon a legal mode or plan for his enlargement. Major Rainsford then acquainted him, that he had received orders from the secretaries of state, not to admit any person whatever to speak with, or see Mr. Wilkes; and further informed him, that he (major Rainsford) had just before refused lord Temple the like admittance; Major Rainsford demanded his name, and informed him, that he had orders to take down the names of all persons who should apply for admittance to Mr. Wilkes. And this deponent farther saith, that between the hours of twelve and one, on Sunday 1st May 1763, called again upon major Rainsford, and again desired to be admitted to see and consult with Mr. Wilkes; but the major then again refused him, as he did soon after several noblemen and gentlemen, and Mr. Heaton Wilkes (the brother of the said John Wilkes) who all applied to major Rainsford for a like admittance to Mr. Wilkes. Mr. Webb (who appeared to be, and was, a director and adviser in all the proceedings against

† See Arthur Beardmore's examination before the House of Commons, printed in the 136th No. of the North Briton.

Mr

Philip Carteret Webb, esq; re-answered, he believed there must have been a mistake in the orders, and that, if either of the secretaries of state were in town, he would apply to them, and obtain such admittance as aforesaid; and that he would either send or bring an order for such admittance in the afternoon.

Mr. Wilkes) then being present in major Rainsford's room, this deponent applied to Mr. Webb for admittance to Mr. Wilkes. Mr. Webb thereupon desired major Rainsford to permit deponent to see and converse with Mr. Wilkes. Major Rainsford answered, *his orders were to admit no person to Mr. Wilkes*, and that he could not comply with what the said Mr. Webb requested. Mr. Webb then replied, that it could not be the intention of the secretaries of state to keep Mr. Wilkes *so close* a prisoner, and again desired major Rainsford to admit this deponent to Mr. Wilkes; and added, that he (Mr. Webb) would indemnify him (major Rainsford); to which the major answered, that he could not comply with Mr. Webb's request, nor would he break or disobey orders. Mr. Webb said, that if either of the secretaries of state were in town, he would apply to them, and obtain an order to admit this deponent to Mr. Wilkes, and that he would either send or bring such order for such admittance in the afternoon. This deponent, confiding in the promise of Mr. Webb, went again to the Tower between eight and nine o'clock of the same day, and again applied to major Rainsford for admittance, but was again refused by the major, who said, he had not received any orders from the secretaries of state, nor had he heard any thing from Mr. Webb. And this deponent further saith, that on Monday the second of May, in the afternoon, he again applied to major Rainsford for admittance to Mr. Wilkes, but was again denied such admittance by major Rainsford.

J. GARDINER,

Sworn at the Mansion House, in the city of
London, this 17th day of December, in
the year 1768, before me,

SAM. TURNER, Mayor.

Upon

14 *Mr. Wilkes writes a Letter to his Daughter.*

Upon this assurance, the said Mr. Wilkes's council and solicitor, between eight and nine o'clock in the evening of the same day, again went to the Tower, and applied for admittance as aforesaid. The major having received no instructions from either the secretaries of state, or Philip Carteret Webb, esq; refused as before.

On Sunday Mr. Wilkes wrote a * letter to his daughter, and sent it to the *earl of Halifax* to be forwarded to Paris.

* ' MY DEAREST POLLY,

' Tower, Sunday, May 1, 1763.

' I have now full leisure to pay my compliments to you, and entirely to relieve you from the anxiety your kind affection for me will necessarily give you at the hearing of my commitment to this place. Be assured that I have done nothing unworthy of a man of honour, who has the happiness of being your father. You shall never in life blush for me.

' I am only accused of writing the last North Briton, yet my sword has been taken from me, all my papers have been stolen by ruffians, and I have been forcibly brought here. I have not yet seen my accusers, nor have I heard who they are. My friends are refused admittance to me. Lord Temple and my brother could not be allowed to see me, yesterday. As an Englishman, I must lament that my liberty is thus wickedly taken away, yet I am not unhappy, for my honour is clear, my health good, and my spirit unshaken, I believe indeed, invincible. The most pleasing thoughts I have are of you, the most agreeable news I can hear, will be the continuance of your health.

' I beg you not to write a word of public business, or of my public situation—Can you get me made *Membre du Parlement de Paris*, for that of *Westminster* is losing all its privileges?

* * * * *

' Continue to love me, and believe me, with the greatest warmth of affection,

' Your obliged father,

' JOHN WILKES.'

On the morning of Monday, the second of May, the court of Common Pleas ordered a return to their writ of Habeas Corpus, which return not then appearing to the court to be sufficient, the court ordered, that the said return should not at present be filed; but upon motion granted another Habeas Corpus, directed to the constable, and so forth, of the Tower of London.

Mr. Wilkes's solicitor and council the same day, between the hours of two and three, again went to the Tower, and made application to major Rainsford for admittance to the said John Wilkes, esq; but were refused such admittance, major Rainsford declaring, that he received no orders from either of the secretaries of state to that purpose. There appeared upon the table of the said major Rainsford, a written order for him to take down the names of all persons applying for admittance to colonel Wilkes.

MAGNA EST VERITAS.

ORDERS issued by the lieutenant governor of the Tower, respecting the detention of John Wilkes, esq;

‘ That the warders appointed to keep him a
‘ close prisoner, shall not presume to leave him
‘ for a moment alone, either night or day, or
‘ to change their duty with other warders, but
‘ by particular leave or order from the con-
‘ stable,

16 *Mr. Wilkes brought before the Court of C. P.*

‘ stable, lieutenant, deputy lieutenant, or in
‘ their absence, the major of the Tower.

‘ They are to permit no person to have ad-
‘ mittance into the room he is confined in, or
‘ to speak to him, but by particular order
‘ brought them by the major, or gentleman
‘ gaoler.’

The major had likewise a written order, to take down the names of all persons who applied for admittance to Mr. Wilkes.

On the morning of Tuesday May 3d, Mr. Wilkes was brought to the bar of the court of Common Pleas, Westminster, where he made the following speech :

‘ I F E E L myself happy to be at last brought
‘ before a court, and before judges, whose
‘ characteristic is the love of liberty. I have
‘ many humble thanks to return for the imme-
‘ diate order you were pleased to issue, to give
‘ me an opportunity of laying my grievances
‘ before you. They are of a kind hitherto un-
‘ paralleled in this free country, and I trust
‘ the consequences will teach ministers of *Scot-*
‘ *tish* and *arbitrary* principles, that the liberty
‘ of an *English* subject is not to be sported away
‘ with impunity, in this cruel and *despotic*
‘ manner.

‘ I am accused of being the author of the
‘ North Briton, No. 45. I shall only remark
‘ upon that paper, that it takes all load of ac-
‘ cufation

‘ cufation from the facred name of a Prince,
‘ whose family I love and honour, as the glo-
‘ rious defenders of the caufe of liberty, and
‘ whose perfonal qualities are fo amiable, great,
‘ and respectable, that he is defervedly the idol
‘ of his people. It is the peculiar fafhion and
‘ crime of thefe times, and of thofe who hold
‘ high minifterial offices in government, to
‘ throw every odious charge from themfelves
‘ upon Majefty. The author of this paper,
‘ whoever he may be, has, upon conftitutional
‘ principles, done directly the reverse, and is
‘ therefore in me the fupposed author, meant
‘ to be perfecuted accordingly. The particu-
‘ lar cruelties of my treatment, worfe than if I
‘ had been a *Scottifh* rebel, this court will hear,
‘ and I dare fay, from your juftice, in due time
‘ redrefs.

‘ I may perhaps ftill have the means left me
‘ to fhew that I have been fuperior to every
‘ temptation of corruption. They may indeed
‘ have flattered themfelves, that when they
‘ found corruption could not prevail, perfecution might intimidate. I will fhew myfelf
‘ fuperior to both. My papers have been
‘ feized, perhaps with a hope the better to
‘ deprive me of that proof of their meannefs
‘ and corrupt prodigality, which it may pof-
‘ fibly, in a proper place, be yet in my power
‘ to give.’

He then pleaded by his Counsel, Mr. Serjeant Glynn, for his discharge, alledging that his commitment was not valid. The debate lasted from eleven o'clock till a quarter past two; when after several learned arguments on both sides, he was remanded back to the Tower; and his friends had, for the first time, the opportunity of access to him. The court then adjourned to Friday the 6th of May, at which time he was ordered to be brought up again, that the affair might be finally determined.

His friends now had the liberty of visiting him; and perhaps no prisoner in the Tower of London ever before, was attended by such an illustrious train of visitors.

During this respite his Majesty was pleased to issue orders to lord Egremont, to remove him from his post of colonel of the militia of the county of Buckingham, which was signified to him in the following letter.

Copy of a letter from the earl of Egremont to the earl Temple.

‘ MY LORD,

‘ The King having judged it improper, that
 ‘ John Wilkes, esq; should any longer con-
 ‘ tinue to be colonel of the militia for the
 ‘ county of Buckingham, I am commanded to
 ‘ signify his Majesty’s pleasure to your lord-
 ‘ ship, that you do forthwith give the necessary
 ‘ order, for displacing Mr. Wilkes, as an offi-
 ‘ cer

‘cer in the militia for the said county of Buck-
‘ingham.

‘I am with respect, my lord,
‘Your lordship’s most obedient
‘humble servant,

‘Whitehall,

‘May 4, 1763.

‘EGREMONT.

‘*To the earl Temple.*’

*Letter from the earl Temple to John
Wilkes, esq;*

‘SIR,

‘At my return last night from the Tower,
‘I received the inclosed letter from the earl of
‘Egremont: in consequence of his Majesty’s
‘commands therein signified, you will please
‘to observe, that you no longer continue co-
‘lonel of the militia for the county of Buck-
‘ingham.

‘I cannot, at the same time, help expressing
‘the concern I feel in the loss of an officer,
‘by his deportment in command, endeared to
‘the whole corps.

‘I am, Sir,

‘Your most obedient, and
‘most humble servant,

‘Pall-Mall,

‘May 5, 1763.

‘TEMPLE.

‘*To John Wilkes, esq;*’

*Copy of a letter from John Wilkes esq; to the
earl Temple.*

‘ MY LORD,

‘ I have this moment the honour of your
‘ lordship’s letter, signifying his Majesty’s com-
‘ mands that I should no longer continue co-
‘ lonel of the militia for the county of Buck-
‘ ingham. I have only to return your lordship
‘ my warmest thanks for the spirit and zeal you
‘ have shewn in the support of that consti-
‘ tutional measure from the very beginning.
‘ Your lordship will please to remember, that
‘ I was amongst the foremost who offered their
‘ services to their country at that crisis. Buck-
‘ ingham is sensible, and has always acknow-
‘ ledged, that no man but your lordship could
‘ have given success to that measure in our in-
‘ land county. I am proud of the testimony *
‘ your lordship is pleased to give me, and am
‘ happy, in these days of peace, to leave so ex-

* ‘ Mr. Wilkes succeeded Sir Francis Dashwood, now lord
‘ Le Despencer, as Colonel. When Sir Francis resigned, he
‘ wrote to the officers of the Buckinghamshire regiment, “ If
‘ the succession goes in the regiment, (as I hope it will, and
‘ think it ought) then I must add, my successor is a man of
‘ spirit, good sense, parts, and civil deportment, who has
‘ shewn resolution, and industry in putting this salutary mea-
‘ sure into execution.”

‘ cellent

‘cellent a corps in that perfect harmony,
‘which has from the beginning subsisted.

‘I have the honour to be,

‘with unfeigned respect,

‘My lord, your lordship’s

‘most obedient and

‘most humble servant,

‘Tower,

‘May 5, 1763.

‘JOHN WILKES.

‘*To the earl Temple.*’

‘ANGLIÆ JURA in omni casu LIBERTATI
dant Favorem.

‘*Impium et Crudelis* judicandus est qui LIBER-
TATI non favet.’

Coke Littleton.

On Friday the 6th of May, Mr. Wilkes was brought up from the Tower, to the court of Common Pleas, where (as soon as the court was seated) he made the following speech :

‘MY LORD,

‘Far be it from me to regret that I have
‘passed so many more days in captivity, as it
‘will have afforded you an opportunity of
‘doing, upon mature reflection, and repeated
‘examination, the more signal justice to my
‘country. The liberty of all peers and
‘gentlemen, and what touches me more sen-
‘sibly, that of all the middling and inferior

‘ set of people, who stand most in need of pro-
‘ tection, is in my case this day to be finally
‘ decided upon : a question of such importance
‘ as to determine at once, whether English
‘ liberty be a reality or a shadow. Your own
‘ free-born hearts will feel with indignation
‘ and compassion, all that load of oppression
‘ under which I have so long laboured. Close
‘ imprisonment, the effect of premeditated ma-
‘ lice ; all access for more than two days de-
‘ nied to me ; my house ransacked and plun-
‘ dered ; my most private and secret concerns
‘ divulged ; every vile and malignant insinua-
‘ tion, even of high treason itself, no less in-
‘ dustriously than falsely circulated, by my
‘ cruel and implacable enemies, together with
‘ all the various insolence of office, form but
‘ a part of my unexampled ill treatment.
‘ Such inhuman principles of star-chamber
‘ tyranny, will, I trust, by this court, upon
‘ this solemn occasion, be finally extirpated,
‘ and henceforth every innocent man, how-
‘ ever poor and unsupported, may hope to sleep
‘ in peace and security in his own house, un-
‘ violated by King’s messengers, and the arbi-
‘ trary mandates of an overbearing secretary of
‘ state.

‘ I will no longer delay your justice. The
‘ nation is impatient to hear, nor can be safe
‘ or happy till that is obtained. If the same
‘ persecution is, after all, to carry me before
‘ another court, I hope I shall find that the
‘ genuine

‘ genuine spirit of Magna Charta, that glo-
 ‘ rious inheritance, that distinguishing charac-
 ‘ teristic of Englishmen, is as religiously re-
 ‘ vered *there*, as I know it is *here*, by the great
 ‘ personages, before whom I have now the
 ‘ happiness to stand; and (as in the ever-
 ‘ memorable case of the *imprisoned bishops*) an
 ‘ independent *jury* of free-born Englishmen
 ‘ will persist to determine my fate, as in con-
 ‘ science bound, upon constitutional principles,
 ‘ by a verdict of *guilty* or *not guilty*. I ask
 ‘ no more at the hands of *my countrymen*.’

After which the court proceeded to give their opinion: and Mr. Wilkes was ordered to be *discharged*. He then addressed himself to the court in the words following:

‘ MY LORDS,

‘ Great as my joy must naturally be at the
 ‘ decision which *this court*, with a true *spirit*
 ‘ of *liberty*, has been pleased to make concern-
 ‘ ing the *unwarrantable seizure of my person*, and
 ‘ all the other consequential grievances, allow
 ‘ me to assure you that I feel it far less sensibly
 ‘ on *my own account*, than I do for *the public*.
 ‘ The sufferings of an *individual* are a *trifling*
 ‘ object, when compared with the *whole*, and I
 ‘ should blush to feel for *myself* in compari-
 ‘ son with considerations of a nature so *trans-*
 ‘ cendently superior.

B 4

‘ I will

‘ I will not trouble you with my poor thanks.
‘ Thanks are due to you from the whole *English*
‘ nation, and from *all* the subjects of the *Eng-*
‘ *lish* crown. They will be paid you, toge-
‘ ther with every testimony of zeal and affec-
‘ tion to *the learned Serjeant* *, who has so *ably*
‘ and so *constitutionally* pleaded my cause, and
‘ in mine (with pleasure I say it) *the cause of*
‘ *liberty*. Every testimony of my gratitude is
‘ justly due to *you*, and I take leave of *this court*
‘ with a veneration and respect, which no time
‘ can obliterate, nor can the most grateful heart
‘ sufficiently express.’

When Mr. Wilkes had ended, the audience burst into an *universal shout*, which was *often* repeated. Mr. Wilkes staid some time in a room adjoining to the court, in expectation that the crowd would disperse : at last, finding that it continually increased, he went out of the back door of the Common Pleas, and was received by a prodigious multitude of people who attended him, amidst continual acclamations, to his own house in Great George-street, Westminster. The evening concluded with bonfires, illuminations, and other rejoicings.

VIVANT REX ET JUDICES REGIS.

* Mr. Serjeant Glynn.

On Mr. Wilkes's return home from the court of Common Pleas, he sent the following letter to the secretaries of state.

‘ Great George-street, May 6, 1763.

‘ MY LORDS,

‘ On my return here from Westminster-hall, where I have been discharged from my
‘ commitment to the Tower, under your lord-
‘ ships warrant, I find that my house has been
‘ robbed, and am informed that the *stolen goods* *
‘ are in the possession of one or both of your
‘ lordships. I therefore insist that you do
‘ forthwith return them to

‘ Your humble servant,

‘ JOHN WILKES.

‘ *Directed to*

‘ the earls of Egremont and Halifax, his Ma-
‘ jesty's principal secretaries of state.’

Next morning Mr. Wilkes in person, attended only by Mr. Grignion of Russel-street, Covent-Garden, went to Sir John Fielding's, in Bow-street, and demanded a warrant to search the houses of the earls of Egremont and Halifax, his Majesty's principal secretaries of

* A special jury of gentlemen were afterwards of opinion, that the secretaries of state were guilty of this *theft*.

state, for the goods stolen out of his house, which he had received information were lodged at the said houses of the secretaries of state, or one of them. John Spinnage, esq; the sitting justice, refused to issue the said warrant.

The next day Mr. Wilkes received the following answer to his letter.

‘ Great George-street, May 7, 1763.

‘ SIR,

‘ In answer to your letter of yesterday, in
 ‘ which you take upon you to make use of the
 ‘ *indecent* and *scurrilous* expressions, of your
 ‘ having found *your house had been robbed*, and
 ‘ that *the stolen goods are in our possession*: we
 ‘ acquaint you that your papers were seized in
 ‘ consequence of the heavy charge brought
 ‘ against you, for being the author of an infam-
 ‘ mous and seditious libel, tending to inflame
 ‘ the minds, and alienate the affections of the
 ‘ people from his Majesty, and excite them to
 ‘ traiterous insurrections against the govern-
 ‘ ment; for which libel, notwithstanding your
 ‘ discharge from your commitment to the
 ‘ Tower, his Majesty has ordered you to be
 ‘ prosecuted by his attorney general.

‘ We are at a loss to guess what you mean
 ‘ by *stolen goods*: but such of your papers as
 ‘ do not lead to a proof of your guilt, shall be
 ‘ restored to you; such as are necessary for
 ‘ that

‘ that purpose, it was our duty to deliver over
‘ to those, whose office it is to collect the
‘ evidence, and manage the prosecution against
‘ you.

‘ We are your humble servants,

‘ EGREMONT.
‘ DUNK HALIFAX.’

*To this answer Mr. Wilkes sent the following
reply.*

‘ Great George-street, May 9, 1763.

‘ MY LORDS,

‘ Little did I expect, when I was requiring
‘ from your lordships what an Englishman has
‘ a right to, his property taken from him,
‘ and said to be in your lordships possession,
‘ that I should have received in answer, from
‘ persons in your high station, the expressions
‘ of *indecent* and *scurrilous* applied to my legal
‘ demands. The respect I bear to his Ma-
‘ jesty, whose servants it seems you still are,
‘ though you stand legally convicted of having
‘ in me violated, in the highest and most of-
‘ fensive manner, the liberties of all the com-
‘ mons of England, prevents my returning
‘ you an answer in the same Billingsgate lan-
‘ guage. If I considered you only in your
‘ private capacities, I should treat you both ac-
‘ cording to your deserts: but where is the
‘ wonder

‘ wonder that men, who have attacked the
 ‘ sacred liberty of the subject, and have issued
 ‘ an illegal warrant to seize his property, should
 ‘ proceed to such libellous expressions ? You
 ‘ say, “ that such of my papers shall be restored
 “ to me, as do not lead to a proof of my guilt.”
 ‘ I owe this to your apprehension of an ac-
 ‘ tion, not to your love of justice ; and in
 ‘ that light, if I can believe your lordships as-
 ‘ surances, the whole will be returned to me.
 ‘ I fear neither your prosecution nor your
 ‘ persecution ; and I will assert the security
 ‘ of my own house, the liberty of my person,
 ‘ and every right of the people, not so much
 ‘ for my own sake, as for the sake of every one
 ‘ of my English fellow subjects.

‘ I am, my lords,
 ‘ your humble servant,

‘ JOHN WILKES.

‘ Directed to the earls of Egremont and Hali-
 ‘ fax, his Majesty’s principal secretaries of
 ‘ state.’

After a long vacation, during which little
 material transpired, we are at length come to
 the 15th of November, the day the parliament
 assembled, that ever memorable day, so long
 and so ardently expected by the public, when
 the great cause was to receive its ultimate de-
 cision from that august assembly : when the
 ministerial

ministerial party were so eager to bring it on, that the unvaried rule of the house, and that decency and respect due to his Majesty, by an address in answer to the speech, was postponed on this occasion, and Mr. Wilkes, though already up in order to complain of the breach of privilege, was obliged to give way to George Grenville, then chancellor, who, in preference to Mr. Wilkes, by the partiality of Cust the speaker, got up and informed the house, “ That
“ he was commanded by the King to acquaint the house, that his Majesty having received information, that John Wilkes, esq; a member of this house, was the author of a most seditious and dangerous libel, published since the last session of parliament; he had caused the said John Wilkes, esq; to be apprehended and secured, in order to his being tried for the same by due course of law; and Mr. Wilkes having been discharged out of custody by the court of Common Pleas, upon account of his privilege as a member of this house; and having, when called upon by the legal process of the court of King’s Bench, stood out and declined to appear and answer to an information, which has since been exhibited against him by his Majesty’s attorney general for the same offence: in this situation his Majesty, being desirous to shew all possible attention to the House of Commons, in every instance wherein they can be supposed

“ posed

“ posed to be concerned, and, at the same
 “ time, thinking it of the utmost importance
 “ not to suffer the public justice of the king-
 “ dom to be eluded, has chosen to direct the
 “ said libel, and also copies of the examina-
 “ tions, upon which Mr. Wilkes was appre-
 “ hended and secured, to be laid before this
 “ house for their consideration.” And Mr.
 chancellor of the exchequer delivered the said
 papers in at the table.

In consequence of the above, the house,
 eager to give up their privileges, unanimously
 voted an address of thanks for so *gracious* a
 message, and immediately proceeded to the bu-
 siness therein recommended. The papers de-
 livered by the chancellor, intitled, “ The
 “ North Briton, No. 45, the examination of
 “ George Kearsley, and the examination of
 “ Richard Balfe, were read ;” whereupon a mo-
 tion was made, “ that the paper intitled The
 “ North Briton, No. 45, is a scandalous and
 “ seditious libel, containing expressions of the
 “ most unexampled insolence and contumely
 “ towards his Majesty, the grossest aspersions
 “ upon both houses of parliament, and the
 “ most audacious defiance of the authority of
 “ the whole legislature ; and most manifestly
 “ tending to alienate the affections of the
 “ people from his Majesty, to withdraw them
 “ from their obedience to the laws of the
 “ realm, and to excite them to traiterous in-
 “ surrections

“ surrections against his Majesty’s govern-
“ ment.” Those who still retained the smallest regard for truth, justice, or their own concerns and safeties, proposed an amendment to the question, by omitting the words, “ and to
“ excite them to traiterous insurrections against
“ his Majesty’s government ;” but the question being put, that those words stand part of the question, it was carried by 273 against 111 ; the tellers for it being Mr. Morton and Sir John Phillips, against it, Mr. Thomas Townshend, jun. and Sir William Baker : on which, as being resolved by the house to have that traiterous tendency, it was ordered to be burnt by the hands of the common hangman ; and, it being near one o’clock, the further consideration of the message was adjourned till that day at twelve.

Mr. Wilkes having attended in the house the whole time of the above debates, with that honest indignation and exaltation of mind so peculiar to himself, and so superior to those cringing cowardly betrayers of the rights of the people, their own privileges and freedom, was at length permitted to prefer his complaint, which, as the public has not as yet been completely informed of, I have the satisfaction to give, verbatim, in the speech Mr. Wilkes then made, as follows :

‘ Mr. SPEAKER,

‘ I think it my duty to lay before the house
‘ a few

‘ a few facts, which have occurred since our
‘ last meeting ; because, in my humble opi-
‘ nion, (which I shall always submit to this
‘ house) the rights of all the Commons of
‘ England, and the privileges of parliament
‘ have, in my person, been highly violated. I
‘ shall at present content myself with barely
‘ stating the fact, and leave the mode of pro-
‘ ceeding to the wisdom of the house.

‘ On the 30th of April, in the morning, I
‘ was made a prisoner in my own house, by
‘ some of the King’s messengers. I demanded
‘ by what authority they had forced their way
‘ into my room, and was shewn a warrant in
‘ which no person was named in particular,
‘ but generally the authors, printers and pub-
‘ lishers of a seditious and treasonable paper en-
‘ titled, The North Briton, No. 45. The
‘ messengers insisted on my going before lord
‘ Halifax, which I absolutely refused, because
‘ the warrant was, I thought, illegal, and did
‘ not respect me. I applied by my friends, to
‘ the court of Common Pleas, for a Habeas
‘ Corpus, which was granted ; but as the pro-
‘ per office was not then open, it could not
‘ immediately issue. I was afterwards carried,
‘ by violence, before the earls of Egremont and
‘ Halifax, whom I informed of the orders
‘ given by the court of Common Pleas for the
‘ Habeas Corpus ; and I enlarged upon this
‘ subject to Mr. Webb, the solicitor of the
‘ treasury. I was, however, hurried away to
‘ the

I

‘ the Tower by another warrant, which de-
‘ clared me the author and publisher of a
‘ most infamous and seditious libel, intitled,
‘ the North Briton, No. 45. The word *trea-*
‘ *sonable* was dropped, yet I was detained a
‘ close prisoner, and no person was suffered to
‘ come near me, for almost three days, al-
‘ though my council, and several of my friends,
‘ demanded admittance, in order to concert
‘ the means of recovering my liberty. My
‘ house was plundered, my bureaux broke open,
‘ by order of two of your members, Mr. Wood
‘ and Mr. Webb, and all my papers carried
‘ away. After six days imprisonment I was dis-
‘ charged, by the unanimous judgment of the
‘ court of Common Pleas, that the privilege
‘ of this house extended to my case. Not-
‘ withstanding this solemn decision of one of
‘ the King’s superior courts of justice, a few
‘ days after I was served with a subpœna upon
‘ an information exhibited against me in the
‘ King’s Bench. I lost no time in consulting
‘ the best books, as well as the greatest living
‘ authorities ; and from the truest judgment I
‘ could form, I thought that the serving me
‘ with a subpœna was another violation of the
‘ privilege of parliament, which I will nei-
‘ ther desert nor betray, and therefore I have
‘ not yet entered an appearance.

‘ I now stand in the judgment of the house,
‘ submitting, with the utmost deference, the
‘ whole case to their justice and wisdom ; and

‘ beg leave to add, that if, after this important
‘ business has in its full extent been maturely
‘ weighed, you shall be of opinion, that I am
‘ intitled to privilege, I shall then be not on-
‘ ly ready, but eagerly desirous, to wave that
‘ privilege, and to put myself upon a jury of
‘ my countrymen.’

Thus concluded a day so replete with disgrace to the legislature of Britain; but as the most villainous transaction took its rise from the debates on that occasion, from its consequences and very extraordinary nature, I hope I shall be held excused for giving it here at large.

Samuel Martin, then secretary to the treasury, rendered for ever infamous above eight months before, as “ the most treacherous, “ base, selfish, mean, abject, low-lived and “ dirty fellow, that ever wriggled himself in- “ to a secretaryship,” in the fortieth number of the *North Briton*; in a speech during this day’s debates, said the author of the *North Briton* was a malignant and infamous scoundrel, who had stabbed him in the dark. Mr. Wilkes would not condescend to take the protection of the house, neither would his honour permit so worthy a character as the afore-said *Sam.* to continue in the dark; but on the breaking up of the house, gave him a full light, whereby he might find the author, in the following letter.

‘ Great

‘ Great George-street, Westminster, Nov. 16.

‘ SIR,

‘ You complained yesterday, before five hundred gentlemen, that you had been *stabbed*
‘ *in the dark* by the North Briton, but I have
‘ reason to believe you was not so much in the
‘ dark as you affected and chose to be. Was
‘ the complaint made before so many gentlemen,
‘ on purpose that they might interpose?
‘ To cut off every pretence of ignorance as to
‘ the author, I whisper in your ear, that every
‘ passage in the North Briton, in which *you*
‘ have been named, or even alluded to, was
‘ written by

‘ Your humble servant,

‘ JOHN WILKES.’

Mr. Wilkes received the following answer.

‘ Abingdon-street, Nov. 16, 1763.

‘ SIR,

‘ As I said in the House of Commons yesterday, that the writer of the North Briton,
‘ who had stabbed me in the dark, was a cowardly, as well as a malignant and infamous
‘ scoundrel; and your letter of this morning’s
‘ date, acknowledges that every passage of the
‘ North Briton, in which I have been named,

‘ or even alluded to, was written by yourself,
 ‘ I must take the liberty to repeat, that you are
 ‘ a malignant and infamous scoundrel, and that
 ‘ I desire to give you an opportunity of shew-
 ‘ ing me whether the epithet of cowardly was
 ‘ rightly applied or not.

‘ I desire that you may meet me in Hyde-
 ‘ Park immediately, with a brace of pistols
 ‘ each, to determine our difference.

‘ I shall go to the Ring in Hyde-Park, with
 ‘ my Pistols so concealed that nobody may see
 ‘ them: and I will wait in expectation of you
 ‘ one hour. As I shall call in my way at your
 ‘ house to deliver this letter, I propose to go
 ‘ from thence directly to the Ring in Hyde-
 ‘ Park, from whence we may proceed, if it
 ‘ be necessary, to any more private place; and
 ‘ I mention that I shall wait an hour in or-
 ‘ der to give you full time to meet me.

‘ I am, Sir,

‘ Your humble servant,

‘ SAM. MARTIN.’

Mr. Wilkes, as he had *honoured* lord * Talbot with exchanging a *single* shot with him, condescended to honour Mr. Martin by complying with his appointment; the consequences Mr. Wilkes relates in the following manner.

* The reader will find a genuine account of this transaction under the article *Miscellanies*, in the Appendix.

When

When the gentlemen met in Hyde-Park, they walked together for a little while to avoid some company, which seemed coming up to them. They brought each a pair of pistols. When they were alone, the first fire was from Mr. Martin's pistols. Mr. Martin's pistol missed Mr. Wilkes, and the pistol in Mr. Wilkes's hand flashed in the pan. The gentlemen then each took one of Mr. Wilkes's pair of pistols. Mr. Wilkes missed, and the ball of Mr. Martin's pistol lodged in Mr. Wilkes's belly. Mr. Wilkes bled immediately very much. Mr. Martin then came up, and desired to give him all the assistance in his power. Mr. Wilkes replied, that Mr. Martin had behaved like a man of honour; that he was killed; and insisted on Mr. Martin's making his immediate escape, and no creature should know from Mr. Wilkes how the affair happened. Upon this they parted; but Mr. Martin came up again in two or three minutes to Mr. Wilkes, offering him a second time his assistance; but Mr. Wilkes again insisted on his going off. Mr. Martin expressed his concern for Mr. Wilkes, said the thing was too well known by several people, who came up almost directly, and then went away. Mr. Wilkes was carried home, but would not tell any circumstance of the case, till he found it much known. He only said to the surgeon, &c. that it was an affair of honour.

The day following, Mr. Wilkes imagining himself in the greatest danger, returned Mr. Martin his letter, that no evidence might appear against him; and insisted upon it with his relations, that in case of his death no trouble should be given Mr. Martin, for he had behaved as a man of honour.

Mr. Martin not at the same time returning Mr. Wilkes's letter, occasioned somebody to remark, 'That in all probability it was kept
' in order to be made use of as a proof of Mr.
' Wilkes's being concerned in the North Bri-
' ton.' I own, said the remarker, that I cannot account for this behaviour of Mr. Martin, no more than I can for his tamely bearing above eight months the abuse upon him. Has he been all this time (Sundays not excepted) practising at a target? That report is confirmed by all his neighbours in the country. Yet, after all, he did not venture to send to Mr. Wilkes, but before five hundred gentlemen, ready to interpose, seemed to intend to begin a quarrel, I suppose, that it might end there. Mr. Wilkes chose coolly to take it up the next morning, by a private letter to Mr. Martin, who insisted on pistols, without naming the sword, though the choice of weapons was, by the laws of honour, in Mr. Wilkes.

Mr. Wilkes's letter was returned to him by Mr. Graves, in the name of Mr. Martin, *near a month after*, on December 10, 1763.

We

We must now, for some time, leave Mr. Wilkes to the care of Dr. Brocklesby and Mr. Graves, to attend the business of the House of Commons, and the ludicrous catastrophe of the *North Briton, No. 45*.

Thursday the 24th of November, the house resumed the debate upon a motion made the day before, “ that privilege of parliament does
“ not extend to the case of writing and publishing seditious libels, nor ought to be allowed to obstruct the ordinary course of the laws, in the speedy and effectual prosecution of so heinous and dangerous an offence ;” and, the question being put, was carried by 258 against 133.

The house was then moved, that the resolution of the 15th of November, relating to the *North Briton, No. 45*, might be read ; which being done, it was *resolved*, “ that the said paper be burnt by the hands of the common hangman * ;” and the house *ordered*, “ that the said resolutions be communicated to the Lords at a conference, and their concurrence desired thereto ;” *Ordered*, “ that a conference be desired with the lords upon a matter of the utmost *importance* to the dignity of the crown, the honour and safety of his

* It now stands on record, that the greater part of the King's most gracious speech in 1763, was ordered by the lords and commons, to be burnt by the common hangman.

“ Majesty’s *person* and government, and to the
“ authority and *privilege* of parliament.”

In the course of this day’s debates, the house took notice of words spoken in the house by Mr. James Grenville and Mr. Rigby, from which a quarrel might ensue; so cautious, so circumspect is that honourable house, in not risking the lives of some particular *honourable* members; yet in the open attack of the *North Briton*, on the 15th of November, that caution, that circumspection was judged unnecessary with regard to Mr. Wilkes, though the odds were deemed so much in favour of the *Targeteer*.

Thursday the first of December, the order of the day being read, for taking into further consideration his Majesty’s message of the 15th of November, and notice being taken that “ in
“ the examinations laid before the house relating to the *North Briton*, No. 45. John
“ Wilkes, esq; a member of this house, is mentioned as having been concerned in the writing and publishing thereof; and the house
“ being informed, that there is evidence ready
“ to be produced at the bar, charging the
“ said Mr. Wilkes with being the author and
“ publisher of the said printed paper; and that
“ the said Mr. Wilkes is, at present, unable,
“ upon account of his health, to attend his duty
“ in this house. *Ordered*, that the said Mr.
“ Wilkes do attend this house in his place, to
“ answer

“ answer the said charge, upon this day seven-
“ night, if his health will then permit.”

The same day, after many conferences, the lord North reported, that the managers had met the lords at the conference, which was to acquaint this house, “ That the lords have
“ agreed to the resolution communicated by
“ the commons, and have directed the paper
“ to be transmitted to the sheriffs of London,
“ to be burnt accordingly.” Both houses agreed the same day to an address to his Majesty on the subject of the North Briton.

Saturday the third of December, when the sentence was attempted to be executed on the poor North Briton, before the Royal Exchange, a great concourse of its friends were assembled in its support, and notwithstanding that vigorous and active executioner of the order of the house, Mr. Sheriff Harley, was present, it was rescued from the flames with the scorching of a corner only; and the vigour and activity of the ministerial sheriff occasioned such disgust in the populace, that the glasses of his chariot were broke to admit the mud and dirt, with which he was most liberally bespattered. But on the Thursday following, we see him again trim and gay, receiving his hire, and cutting compliments with the Speaker, in the House of Commons, on his *vigour* and *conduct*.

But before we attend him to the house on that errand, we will take the reader for a moment

ment into Westminster-hall, where he will have the pleasure of hearing the decision of the chief justice * in the case of Mr. Wilkes against Mr. Wood, for the seizure of Mr. Wilkes's papers, with 1000 l. damages, in the following words :

“ Upon the maturest consideration I am bold
 “ to say, that *this warrant* is illegal ; but I am
 “ far from wishing a matter of this consequence
 “ should rest solely on my opinion, I am only
 “ one of twelve, whose opinions I am desir-
 “ ous should be taken in this matter, and I
 “ am very willing to allow myself the meanest
 “ of the twelve. There is also a higher court
 “ before which this matter may be canvassed,
 “ and whose determination is final ; and here
 “ I cannot help observing the happiness of our
 “ constitution, in admitting these appeals, in
 “ consequence of which, material points are
 “ determined on the most mature consideration,
 “ and with the greatest solemnity. To this
 “ admirable delay of the law (for in this case
 “ the law's delay may be stiled admirable) I
 “ believe it is chiefly owing, that we possess
 “ the best digested, and most excellent body
 “ of laws, which any nation on the face of
 “ the globe, whether antient or modern, could
 “ ever boast of. If these higher jurisdictions
 “ should declare my opinion erroneous, I sub-

* Sir Charles Pratt, now lord Camden.

“ mit as will become me, and kiss the rod ;
“ but I must say, I shall always consider it as
“ a rod of iron for the chastisement of the
“ people of Great Britain.”

Wednesday the seventh of December, a message was sent from the lords desiring a conference, which being agreed to, lord North reported, “ That the lords had received information, from the sheriffs of London, of a
“ riotous and tumultuous meeting of great
“ numbers of people on Saturday last, who
“ abused and insulted the said sheriffs, and
“ endeavoured to obstruct them in carrying
“ into execution an order of both houses of
“ parliament, for burning the North Briton,
“ No. 45.”

The house being informed that doctor Brocklesby and Mr. Graves attended, they were called in, and examined respecting the state of Mr. Wilkes's health, and from their report the order for his attendance was postponed another seven days.

Thursday the eighth of December, the house ordered their thanks to the sheriffs for the proper spirit and vigour with which they had conducted themselves, in *attempting* to burn the North Briton.—Mr. Alderman Harle being in the house, the speaker gave him the thanks of the house in a very florid harangue, wherein
he

he laments the not having more time, that he might have performed that duty in a manner more *suitable* to himself: upon which Mr. Alderman Harley said, It was with the utmost difficulty he rose to express a due sense of the honour, &c. he could not help thinking that the house had greatly *overvalued* his services, and lamented that it was not in his power to put the order in execution in a manner more *suitable*——That the only return he can make is to assure the house, that so long as he shall continue in office, he shall *firmly, vigorously, and actively* see the laws carried into execution *.

We now quit the solemn phlegm of the journals, to amuse the reader with the circumstances relative to that extraordinary *Scot*, Mr. Alexander Dun. The following is a true state of the affair.

December 10, 1763. On Tuesday night last, soon after the verdict was given for Mr. Wilkes, a man knocked at his door, desiring to speak with him on particular business; it appearing, by his dialect, he was a Scotchman, and being an entire stranger, he was refused admittance; on which he went away to a coffee-house near Parliament-street, where he was overheard by a person then present, to declare,

* This is very true; Mr. Harley fulfilled his promise in the poor ballad-fingers, &c. &c. &c.

that himself, and ten more men, were determined to cut Mr. Wilkes off, let the event be what it would. The gentleman gave information of the above declaration next morning, by letter, to Mr. Wilkes, desiring him to be on his guard ; the affair then rested till Thursday morning, when the same person, as is supposed, brought a letter to Mr. Wilkes's house, signed Alexander Dun, the purport of which was, to beg an interview with him on an affair of the most interesting nature ; when he was desired to call again at one o'clock, which he did accordingly ; and seven o'clock was then the hour appointed. In the interim, Mr. Wilkes had got several of his friends, gentlemen of distinction, about him. At the above hour the man came, and was ushered into the parlour, where he waited a short time, and was informed that Mr. Wilkes was then alone, and he should be introduced to his presence ; but on going out at the parlour door, two gentlemen, who had placed themselves behind it, seized him by each arm, and flung him on his back. On searching him, a new pen-knife was found in his pocket, which he pretended he had purchased about nine months ago : on being farther questioned, he said, six months ; and at last, owned he bought it at Chatham, about a fortnight since. Previous to the time appointed by Mr. Wilkes for his interview, proper affidavits, containing an accurate detail of the whole transaction, were prepared, and a warrant procured

cured from the honourable Mr. Justice Wilmot for apprehending him, which was immediately executed ; and we are informed that authenticated evidence of the whole proceedings was yesterday laid before a very august assembly, who have ordered the tipstaff to bring the said Mr. Dun to be examined before that honourable house this day.

Mr. Wilkes, on the first intimation of Dun's design, treated the affair with levity, and intended taking no notice of it ; but the worthy * son of a most worthy commoner, who some time since retired from public business, happening to be present, he, with some other of Mr. Wilkes's friends, insisted that an enquiry should be made into it, when matters turned out as above related ; upon which Mr. Wilkes made the following affidavit.

In the King's } JOHN WILKES, of Aylef-
Bench. } bury in the county of Bucks,
esq; Matthew Brown, servant to the said Mr.
Wilkes, and Mathias Darly, of the parish of
St. Anne, Soho, in the liberty of Westmin-
ster, engraver, severally maketh oath ; and
first, the said John Wilkes for himself saith,
that he this deponent, verily believes that he
is in danger of his life, from the wicked, ma-
licious, revengeful, and unprovoked menaces

* George Onslow, esq; member for Surry.

of one Alexander Dun, who (this deponent is informed) is a Scotch officer; and between eleven and twelve of the clock, last Tuesday evening, demanded entrance into this deponent's house in Great George-street, Westminster, and threatened violence to his person; and this deponent further saith, that about nine of the clock this morning he received the letter hereunto annexed, (marked A) which this deponent is informed, and verily believes, is of the hand-writing of the said Alexander Dun: and this deponent, Matthew Brown, for himself saith, that he saw a person at the time first abovementioned make several very rude and violent endeavours to come into the house of the said Mr. Wilkes; and upon his being refused by this deponent, threatened revenge to Mr. Wilkes, and also to this deponent; and by the best description and information which this deponent has been able to collect, he believes the said person's name is Alexander Dun: and this deponent, Mathias Darly, for himself saith, that he this deponent did yesterday write to Mr. Wilkes the letter hereunto annexed (B) the contents of which are true, and that the Scotch officer therein alluded to is the said Alexander Dun: and this deponent further saith, that he is not moved by any malice or resentment against the said Alexander Dun, but thought it his duty, as a member of society, to make the above intimations to Mr. Wilkes, in order that he might concert the necessary measures for his
personal

personal safety. And therefore the said John Wilkes craves sureties of the peace against the said Alexander Dun, not out of hatred or malice, but merely for the preservation of his life and person from danger.

JOHN WILKES,
MATTHEW BROWN,
MATHIAS DARLY.

The deponent John Wilkes sworn at his house in Great George-street, Westminster, he being indisposed, the 8th day of December, 1763, before me,

W. MAPELSDEN, by Commission.

Matthew Brown and Mathias Darly, sworn in Great Ormond-street, the 8th day of December, 1763, before

E. WILMOT.

‘ London, Dec. 8, 1763.

‘ SIR,

*‘ As I have something of consequence to
‘ communicate to you, I should be glad to
‘ know what time would be most convenient
‘ for me to call upon you this day; I called
‘ once before and was refused admittance. Be
‘ so good as send me an answer by my servant,
‘ who will wait for it. Lieutenant Crockat
‘ of dragoons, who is now in Scotland, de-
‘ fires his compliments to you for the many
‘ civilities*

‘ civilities shewn him when he was quartered
‘ near your country seat; you may be assured
‘ that many of the Scotch have still a regard
‘ for you, and none of them more so than,

‘ Your most humble

‘ and obedient servant,

‘ ALEX. DUN.

‘ Direct to me at Mr. Whyte's, peruke-maker,
‘ lieutenant of marines.

‘ To John Wilkes, esq;’

(A)

‘ *London, Dec. 7, 1763.*

‘ SIR,

‘ I should not do my duty if I did not ac-
‘ quaint you that the young Scotch officer, that
‘ wanted entrance at your house, is a villain,
‘ and his intentions are of the blackest dye. I
‘ had been in his company for near four hours.
‘ That part of our conversation that relates to
‘ you, consisted chiefly of his intentions of
‘ massacreing you the first opportunity, and
‘ that there was thirteen more gentlemen of
‘ Scotland of the same resolution, and con-
‘ federates of his, who was resolved to do it, or
‘ die in the attempt. Last night, when your
‘ trial was over, the gentlemen at the coffee-
‘ house quitted the room that I was in (on
‘ account of the shouts in the hall) and left
‘ the Scotch hero and I together, but I abruptly

Append. VOL. I.

D

‘ left

‘ left the room, and went after the people to
 ‘ Great George-street, and on hearing a noise
 ‘ at your door, I went up, and, to my great
 ‘ surprise, saw the Scotchman a trying for
 ‘ entrance; I knocked, and had admittance,
 ‘ which enraged the hero so much, that he
 ‘ swore revenge against the servant, and was
 ‘ very troublesome; when I went out, I heard
 ‘ a gentleman taking him to task, upon his
 ‘ vowing revenge on you or your servant; upon
 ‘ which I told the gentleman a small part of
 ‘ what I knew, and he put him in the hands
 ‘ of two watchmen, and ordered him to the
 ‘ round-house; but at the corner of Great
 ‘ George-street, I am told, he was rescued, and
 ‘ ran away. There was conversation passed
 ‘ between him and the company that is not
 ‘ safe to communicate by letter: his principles
 ‘ and zeal make it unsafe for such an abandon-
 ‘ ed wretch to be at large. Your own discre-
 ‘ tion, I hope, will guide you to prevent any
 ‘ thing that may be intended.

‘ I am, with all respect,

‘ Sir, your’s,

M. DARLY.

‘ Cranborn-alley, Leicester-fields.

‘ To Mr. Wilkes, Great George-street.’

(B)

E. WILMOT.

L. S.

ENGLAND, } WHEREAS I have received in-
to wit, } formation, on the oath of John
Wilkes, esq; Matthew Brown, and Mathias
Darly, that one Alexander Dun, between
eleven and twelve o'clock, on Tuesday even-
ing last, demanded entrance into the house of
John Wilkes, and threatened violence to his
person; and hath since, in the hearing of
Mathias Darly, declared his intention to mas-
sacre the said John Wilkes the first opportu-
nity; and therefore the said John Wilkes craves
sureties of the peace against the said Alexander
Dun, not out of hatred or malice, but merely
for the preservation of his life and person from
danger.

These are therefore to will and require, and
in his Majesty's name, strictly to charge and
command you, and every of you, upon sight
hereof, to apprehend and take the said Alexan-
der Dun, and bring him before me, or one
other of the justices of his Majesty's court of
King's Bench, if taken in or near the cities of
London or Westminster, otherwise before some
justice of the peace living near the place where
he shall be herewith taken: to the end he may
become bound with sufficient sureties for his
personal appearance, in his Majesty's court of
King's Bench, on the first day of Hillary term,
to answer the premises, and, in the mean time,
to keep the peace, and be of good behaviour
towards all his Majesty's subjects, especially

towards the said John Wilkes ; and hereof fail not at your peril.

Given under my hand and seal this eighth day of December, 1763.

To Richard Elston my Tipstaff, and to all chief and petty constables, headboroughs, tythingmen, and all others whom these may concern.

Mr. Wilkes having appointed seven in the evening, on Thursday last, for an interview with the said Alexander Dun, he came punctually at the time, when he was apprehended in consequence of the above warrant.

[The following is taken from a paper that was circulated by Mr. Dun, with some remarks thereon.

As there is to be published by subscription, by lieutenant Alexander Dun of marines, a book entituled, *The History of a Reduced Officer, with advice to half-pay officers, and to officers entering the army ; a point explained concerning the sea and marine officers : interspersed with various observations on the fair sex.*

*Quo semel est imbuta recens survabit,
Odorem Testa diu.*

To which is added, some advices to, and observations

servations on, Mr. Wilkes's behaviour to the Scotch nation.

+++ The author may be heard of at the Parliament-tavern, near Westminster-hall, or at St. Clement's coffee-house in the Strand, if any gentleman chuse to subscribe.—

Mr. Dun has had so much encouragement already from the nobility and quality, both in Britain, and in foreign countries, in this publication, that he would not have made it public, had it not been for an accident which happened lately, now to be explained.

As Mr. Wilkes is mentioned in his treatise, he thought it incumbent upon him to wait upon Mr. Wilkes, to see whether or not the dissensions betwixt the English and Scotch nations [*What are these dissensions? Nobody ever heard of them*] reported to be occasioned by him were from real or imaginary causes. He had an offer of being introduced to Mr. Wilkes by several different gentlemen, [WHO?] and on Tuesday night [*near twelve o'clock*] went for that purpose, but was refused admittance: was disappointed next day by breach of appointment [*What appointment?*] and on Thursday morning wrote Mr. Wilkes the following letter, which was sent by his servant.

‘ To JOHN WILKES, *esq*;

‘ London, December 8, 1763.

‘ SIR,

‘ As I have something of consequence to
‘ communicate to you, I should be glad to
‘ know what time would be most convenient
‘ for me to call upon you this day: I called
‘ once before, and was refused admittance,
‘ Be so good as send me an answer by my
‘ servant, who will wait for it.

‘ Lieutenant Crockat of dragoons, who is
‘ now in Scotland, desires his compliments to
‘ you, for the many civilities shewn him when
‘ he was quartered near your country-seat.
‘ You may be assured that many of the Scotch
‘ have still a regard for you; and none of them
‘ more so than your most humble and obedient
‘ servant,

‘ ALEX. DUN.’

This letter he sent at nine o’clock in the morning; a little after one o’clock, he received, by his servant, the following card.

‘ Thursday.

‘ MR. DUN,

‘ Mr. Wilkes’s compliments to Mr. Dun,
‘ and desires to see him at seven o’clock: is
‘ obliged to him for the account of Mr. Croc-
‘ kat.’

In

In consequence of this desire, Mr. Dun went to Mr. Wilkes's lodgings [*Who does Mr. Wilkes lodge with? This is the true Edinburgh stile: has Mr. Wilkes a house or only a flat: two or three rooms they call a flat at Edinburgh*] in George-street at the time appointed—When he came there he knocked gently at the door, and was admitted by a servant, who called himself Mr. Wilkes's Butler; he asked Mr. Dun to walk into a parlour until Mr. Wilkes should come down; wanted to know if he had any covers [*as he had desired by his boy*] to be signed; and that he would carry them up to Mr. Wilkes: Mr. Dun then gave him a dozen, which he took away in order to carry up to Mr. Wilkes, who, he said, was in the room above.—

In a few minutes after, the butler came back, and in a mild manner desired Mr. Dun to walk above to his master, who was waiting for him: he immediately followed, and was scarcely out of the parlour door, when five or six men caught fast hold of him, and brought him down; some of them were gentlemen, whose names Mr. Dun does not chuse to mention, who used him very well afterwards: that violence was offered is evident, because one of the gentlemen had the joints of two of his fingers dislocated: they then searched Mr. Dun, but found no deadly weapon about him; indeed he had a penknife in his waistcoat pocket, [*loose in his left hand coat pocket*] which they kept, and said he had brought it with intention to kill Mr. Wilkes.

That he may do impartial justice to all, he here declares, that in a little time they returned his pocket-book, papers, &c. and upon his observing that he was almost strangled, they brought several different kinds of wine to chuse of; drank his health, and said they believed they were all in the wrong; [*not true*] but that he must go to some genteel house, and be confined a little, until he should clear up this matter, as Mr. Wilkes had a warrant against him on suspicion of his intending to massacre him [*according to his own declaration.*] They then asked him, if he did not think it proper for them to have acted this part? He said not, as he thought it was taking hold of him under shew of friendship, as the card expressed. He asked, if his letter did not deserve civil treatment? To which Mr. Coates, justice of peace [*in Surry*] was pleased to reply, that Mr. Wilkes had acted by his advice; that they found out he was a man of education from his letter, and therefore judged him the more dangerous. Mr. Coates told him, that Mr. Wilkes desired he would write to him and clear up the matter more fully, and he would send him an answer [*not true.*] They then brought Mr. Dun, pen, ink, paper, and wax, and he wrote, directed to Mr. Wilkes in his lodgings: as Mr. Wilkes sent him a verbal answer, he will not insert a copy of this letter; he will only observe, that he procured him a dozen of franks from Mr. Fitzherbert; thanked him for what he wrote; and said,

said, that he would have done them himself, but was not well. This message was sent him by a gentleman who carried up Mr. Dun's letter. Mr. Fitzherbert he must thank for likewise subscribing to his performance in Mr. Wilkes's house, by only hearing a few pages read.

He does here declare, he has no animosity against Mr. Wilkes, nor any man in Britain; some have shewn it in London, and that very lately, against him, for no other cause but his mentioning Mr. Wilkes in this performance: he has been often insulted and beat [BEAT!] and bruised; but as justice always will get the better, and innocence will be protected, has always come off to his own satisfaction; and is not this moment afraid, although under lock and key in Stanhope-street.

He now, as an officer who has suffered in his Majesty's service, claims protection: is but young, cannot therefore command temper every moment to put up with hearing his countrymen in Scotland abused: but he wishes sincerely the whole would be unanimous, and then the English, Irish, and Scotch, would be a terror to all their enemies: if they disagree among themselves, the consequences will be dreadful. [Do they?] As the aforesaid publication will soon appear, he shall say no more at present on this subject, but acquaint the public, that it is his first performance, wrote at the desire of
many

many gentlemen of known merit, and offered to the King's perusal.

Upon the 10th of December instant, Mr. Dun was tried [*not even examined*] at Mr. Wilkes's instance, for a breach of privilege, &c. and acquitted: he must here own his obligations to several members who spoke in his behalf; although none of them will say, he asked them to appear in his defence——He is sorry that he had reason to say, some gentlemen were over inquisitive; who insisted that his servant should inform, and even threatened him, to tell them, what messages he sent him from the House of Commons.

The night this trial was ended, some of Mr. Wilkes's friends [*who were they?*] came to see Mr. Dun (as they themselves owned) from a principle of curiosity; they wanted, they said, to know what was the reason for his animosity against Mr. Wilkes, and to see and take a copy of his card to Mr. Dun. In the first place, he informed them, that he had no ill-will at Mr. Wilkes, and let them copy the card, as they desired: he further said, that he intended to be his friend, and they saw his recompence. They then told Mr. Dun, that the world considered this as a rash and frantic action, at least, that Mr. Wilkes's friends did; but that now they were satisfied it was not. They shewed Mr. Dun several penknives, and wanted to know the size of the one he had
in

in his waistcoat pocket on the 8th instant. He told them it was the size of the least of those they produced ; but that he should not suspect *them* of assassination for bringing them into his apartments : at this they smiled. As the news-papers say [*his own account*] that Mr. Dun, said he purchased the penknife first nine months ago, then a shorter space, and at last, confessed he bought it at Chatham a fortnight before that time, he must explain this matter. As he had three penknives purchased much about the times mentioned, but the one for common use, which was then in his pocket, he bought on the first of December last, from the shop of Nicholas Foster, near the corner of Grocer's-alley. He observed that there were several brave and sensible men (officers) in a worse condition than ever he (Mr. Dun) was, proceeding from the same malady ; that some cut their throats ; that others shot themselves through the body ; and that many were prevented from putting an end to their own lives, proceeding, as one would imagine, from the nature of the climate ; but he must observe, that sometimes people receive favours from those they least expect them, and are deceived by others they confide most in ; this has been Mr. Dun's case in this affair : a man professed the greatest friendship for him, subscribed to his book, said he was half a Scotchman, and was in company with him on Tuesday night the 8th instant, at the parliament-tavern, was, as he is informed, the

the principal occasion of this prosecution. God keep Mr. Dun from the company of half friends for the future ; but let him add,

*Integer vitæ, scelerisque purus non egit mauri
Faculis nec arcu, nec venenatis gravida sagittis.
Fusce Pharetra.*

We shall take the liberty of adding to Mr. Dun's case, that it is the observation of Machiavel, that in all cases, not only of assassination, but of deep danger, no man should be employed, who is always, and entirely in his senses. Friday the 16th of December, after doctor Brocklesby and Mr. Graves had been examined by the house concerning Mr. Wilkes's health, a motion was made and carried, " That
" doctor Hebberden, the physician, and Mr.
" Cæsar Hawkins, one of his Majesty's serjeant
" surgeons, be desired to attend John Wilkes,
" esq; from time to time, at proper intervals,
" to observe the progress of his cure ; and that
" they, together with doctor Brocklesby and
" Mr. Graves, do attend this house, to report
" their opinion thereupon, on the 19th day of
" January next, in case the said John Wilkes,
" esq; be not then able to attend in his
" place."

Sunday morning Mr. Wilkes received the following letter from doctor Brocklesby.

A letter

A letter from Dr. Brocklesby to Mr. Wilkes.

‘ DEAR SIR,

‘ Late last night I received the inclosed letter
‘ from my most ingenious and worthy friend
‘ Dr. Hebberden, and also the inclosed copy
‘ of an order of the House of Commons, to
‘ report upon your case on the 19th of Janu-
‘ ary ; I am therefore to entreat you, to fix the
‘ hour for our attendance at your house on
‘ Monday, and I will take care to appoint Dr.
‘ Hebberden and Mr. Hawkins.

‘ I am, dear Sir,

‘ Your most obedient

‘ humble servant,

‘ RICHARD BROCKLESBY.

‘ Norfolk-street, Sunday morning, Dec. 18,
‘ 1763.’

Letter from doctor Hebberden to doctor Brocklesby, which was the inclosed letter above-mentioned.

‘ Cecil-street, Dec. 17.

‘ DEAR SIR,

‘ An order of the House of Commons is come
‘ to Mr. Hawkins and me, to attend Mr. Wilkes
‘ from time to time, in order to observe the
‘ progress of the cure, and to make a report to
‘ the house, together with you and Mr. Graves.
‘ You will oblige us by acquainting Mr. Wilkes
‘ with

‘ with this ; and if you will let us know at what
 ‘ time you intend to see Mr. Wilkes on Mon-
 ‘ day, we will be ready to meet you there. Mr.
 ‘ Hawkins desires that the appointment may be
 ‘ for some hour after twelve.

‘ I am, Sir,

‘ Your most humble servant,

‘ W. HEBBERDEN.’

A card from Mr. Wilkes to doctor Hebberden.

‘ Mr. Wilkes presents his compliments to
 ‘ doctor Hebberden, and is duly sensible of
 ‘ the kind care and concern of the House of
 ‘ Commons, not only for his health, but for
 ‘ his speedy recovery. He is attended by doc-
 ‘ tor Brocklesby, of whose integrity and abi-
 ‘ lity he has had the experience of many years,
 ‘ and on whose skill he has the most perfect re-
 ‘ liance. Mr. Wilkes cannot but still be of
 ‘ opinion, that there is a peculiar propriety in
 ‘ the choice he at first made of doctor Brock-
 ‘ lesby, for the cure of what is called a *gun-*
 ‘ *shot wound*, from the circumstances of the doc-
 ‘ tor’s having been many years physician to the
 ‘ army ; but at the same time entertains a real
 ‘ esteem for doctor Hebberden’s great merit ;
 ‘ and though he cannot say that he wishes to
 ‘ see the doctor at present, he hopes that he
 ‘ shall be well enough to beg that honour to
 ‘ eat a bit of mutton in

‘ Great George-street.

‘ Monday, Dec. 19.’

A card from Mr. Wilkes to Mr. Hawkins.

‘ Mr. Wilkes presents his compliments to
‘ Mr. Hawkins. He some time ago, from mo-
‘ tives of humanity, readily consented, at the
‘ request of Mr. Martin, to receive the visits
‘ of doctor Hebberden and Mr. Hawkins. He
‘ is now acquainted that the honour Mr. Haw-
‘ kins intends him, of a visit, to-day, is not
‘ at the desire of Mr. Martin ; and therefore he
‘ begs that it may be deferred till he is more
‘ capable of enjoying company. He has every
‘ reason to continue perfectly satisfied with the
‘ conduct of Mr. Graves, a military surgeon of
‘ eminence, who extracted the ball ; he hopes,
‘ in a few weeks to be so well recovered, as to
‘ be able to receive Mr. Hawkins in Great
‘ George-street : and shall be impatient for an
‘ opportunity of shewing the just regard he will
‘ ever pay to so distinguished a character.

‘ Monday, Dec. 19.’

Letter from Mr. Wilkes to doctor Brocklesby.

‘ Great George-street, Monday, Dec. 19, 1763.

‘ DEAR SIR,

‘ I have the favour of your letter, and of the
‘ papers inclosed. I think you are rather defi-
‘ cient in politeness, that you do not congratu-
‘ late your friend on the *new* and *singular*
‘ honour done him by the *House of Commons*,
‘ in

‘ in appointing a PHYSICIAN and SURGEON to
 ‘ attend me. I ought to take this the more
 ‘ kindly at their hands, because to pay me this
 ‘ compliment, they have, I believe, exceeded
 ‘ their legal powers. The *lords*, rather unwit-
 ‘ tingly, set them such an example, by order-
 ‘ ing the *physician* and *surgeon* of a member of
 ‘ the other house to their bar, to be examined
 ‘ concerning his state of health. I had before
 ‘ received other unmerited obligations from
 ‘ their LORDSHIPS, and the old friendship of
 ‘ *lord Sandwich*, though I own I was rather put
 ‘ to the blush by THEIR PUBLISHING to the
 ‘ world what they pretended was found, per-
 ‘ haps put, among the things stolen from me.
 ‘ If a man makes a private *essay on woman*, should
 ‘ all the world see it? Is a treatise against the
 ‘ spleen, or the *tædium vitæ*, so dangerous as
 ‘ now to become a state-crime for the cogni-
 ‘ zance of our present cruel rulers, or rather
 ‘ inquisitors? Has the nasty, gummy, blub-
 ‘ bering, overgrown boy of a lord, barbarous
 ‘ and blustering as the NORTH *, has he like-
 ‘ wise received his orders to denounce to the
 ‘ *Commons* a laughable poem as a horrid crime
 ‘ to make all good Christians shudder? Are
 ‘ the most wretched and impious lines to be
 ‘ forged, that a work, which idolizes the
 ‘ whole sex, may be brought into judgment

* Lord North, eldest son of the earl of Guildford.

‘ before the *crafty* Scot *, who never loved
‘ any woman.

‘ This last act of the *majority* seems almost
‘ to perfect the scene, and really quite over-
‘ whelm me with gratitude. Yet though I am
‘ a young member, I cannot but observe and
‘ lament, that the antient established forms of
‘ parliament have in the present case been laid
‘ aside, as if order had taken leave of the
‘ *House* with good old ONSLOW. The course
‘ of business has always been, that affairs of
‘ importance should previously go to a *commit-*
‘ *tee*, to have a full and fair discussion, and
‘ afterwards the house receives and duly weighs
‘ the report of the *committee*. The affair you
‘ have mentioned is of so much real conse-
‘ quence, that it should, in my poor opinion,
‘ have been referred to the *two* usual *commit-*
‘ *tees*. *First*, it should have gone to the *com-*
‘ *mittee of ways and means*, to contrive how the
‘ *state physician and surgeon* can get into my
‘ house. *Secondly*, to the *committee of supply*,
‘ to vote the fees due to the gentlemen for
‘ their attendance; but I have public *æconomy*
‘ so much at heart, though I make no parade
‘ of it, that I will save the nation this expence,
‘ for I will not suffer either of them to enter
‘ my doors. The *majority* of the *Commons*,
‘ like true country people, seem to have a
‘ troublesome overflowing of kindness for me,

* Lord Mansfield.

‘ which you know is very apt to surfeit. Yet,
‘ like the others sometimes, in the same mo-
‘ ment they fail in a point of necessary good
‘ breeding, even to one of their own mem-
‘ bers. The house desires doctor Hebberden
‘ and Mr. Hawkins to come to me, but forget
‘ to desire me to receive them, and I most cer-
‘ tainly will not.

‘ Surely, my dear Sir, this matter has been
‘ too lightly determined upon by the *honourable*
‘ house. It is pretty well known that I have
‘ already a *physician* and *surgeon*, whose charac-
‘ ters the foul breath of slander never reached,
‘ and whom I confide in and love. Why
‘ should I admit any others? Am I to consent
‘ to an unjust slur upon gentlemen with whom
‘ I have all the reason in the world to be sa-
‘ tisfied? Shall I concur in suffering party mad-
‘ ness to fix a vile suspicion, where I know
‘ it ought not to rest? I will never counte-
‘ nance so shameful a proceeding. Honour,
‘ justice, gratitude, private friendship, equally
‘ forbid it.

‘ The *majority* of my brother members seem
‘ quite wild in their love. They would force
‘ a *physician* and *surgeon* upon me, when I have
‘ one of each already, and they forget that my
‘ dear friend and chaplain, Churchill, has left
‘ me for some time. Would it not therefore
‘ have looked better, if these obliging friends
‘ had shewn some regard to my spiritual con-
‘ cerns, and had ordered their own chaplain,
‘ the

‘ the very *learned* brother of the very * *con-*
‘ *scientious* merchant, and of the very *acute*
‘ speaker, to attend me ; or they might per-
‘ haps have prevailed on good Mr. Kidgell.
‘ He is so ready to every laudable, and lucra-
‘ tive work, he would not, I believe, have
‘ hesitated. You might in time have had
‘ *Observations on my conversion and apostleship*,
‘ though I hope not in a way to make you
‘ doubt of the whole ; at least you would have
‘ been sure of a SERIES OF LETTERS in the
‘ LEDGER, the profits to be divided between
‘ the said Kidgell and his partner Mac-Faden,
‘ according to Kidgell’s former plan. I think
‘ the *lords* too, ought to have considered this
‘ important point of *chaplainship*, and lord *Sand-*
‘ *wich*, or lord *Le Despencer*, or some other
‘ *pious* lord, should have moved to send me a
‘ *Divine Legation of the Bishop of Gloucester*. I
‘ have been said to have doubts. I really have
‘ none. If I had, that *orthodox* bishop would
‘ surely be able to remove them ; only I should
‘ fear that for every *one* of mine he carried away,
‘ he would leave *ten* of his own behind with
‘ me. I might likewise be treated with one of
‘ his quaint persuasives to *continence*, the only
‘ doctrine to which his practice has been fully
‘ adequate. It could never come more *à propos*,
‘ nor with greater probability of success, for
‘ that cold frozen virtue of *chastity*, the virtue

* Vide an *affidavit* printed in No. 42. of the North Briton.

‘ of age not of youth, seems likely to be as
 ‘ much my portion the rest of this year, as it
 ‘ has been that pedant’s every year of his life *.
 ‘ His virtue is *fixed as in a frost*, beyond all the
 ‘ powers of genial spring, or a charming, luf-
 ‘ cious wife : mine I trust will *thaw, melt, and*
 ‘ *resolve itself to sprightly dew*, long before the
 ‘ first breath of zephyr.

‘ After all, my dear doctor, I might I believe
 ‘ admit the *state physician* and *surgeon* without
 ‘ any danger of a *Russian hæmorrhoidal cholic*,
 ‘ but I will not do any thing *on compulsion*,
 ‘ *Hal.* I do not suspect either of them in the
 ‘ least to resemble a *Talbot*, a *Martin*, a *Forbes*,
 ‘ or a *Dun*. On the contrary, they are both
 ‘ amiable men, and therefore I wish you would
 ‘ bring them here to dinner as soon as I get a
 ‘ little better, for at present if they came I
 ‘ should fear they would place themselves *by au-*
 ‘ *thority*, one on the right, and the other on
 ‘ the left hand, of their poor patient, and,
 ‘ like *Sancho’s doctor* with his wand, forbid my
 ‘ tasting any thing I ogled, or rather *squinted*
 ‘ at.

‘ I am alone. If you are disengaged, I wish
 ‘ you to come here at four, and I will give
 ‘ you half my boiled chicken. We never can
 ‘ want food for laughter, while, in the phrase

• Ask of the *learn’d* the way ? The *learn’d* are blind :
 That way a *Warburton* could never find.

Essay on Woman, Ep. 4. l. 19.

‘ of the *sly* * *Fox*, *George Grenville* has the
‘ CONDUCT OF THE HOUSE OF COMMONS.

‘ I am ever, my dear Sir,

‘ Your affectionate humble servant,

‘ JOHN WILKES.’

While Mr. Wilkes lay dangerously ill of his wound, it was given out by the advocates for the ministry, that as soon as he came to the house he would be expelled : of course therefore a vacancy would happen for the borough of Aylesbury which he represented ; and somebody put the following paragraph in the London Evening Post.

Extract of a letter from Aylesbury, Dec. 1.

‘ We have had great canvassing here since
‘ there has been a talk of expelling Mr. Wilkes.
‘ Sir William Lee has been very busy in behalf
‘ of his friend the captain ; but it is not be-
‘ lieved he will succeed, because it is very un-
‘ generous and ungentleman-like, in such a
‘ particular case as this, to solicit interest to
‘ succeed a man before it is certainly known
‘ whether he will be expelled.’

* Fox, lord Holland.

Which occasioned the following letter.

To the printer of the London Evening Post.

‘ SIR,

‘ Having seen in your paper of last Saturday, a reflection upon me, for having interested myself in behalf of a friend, upon the supposition of a vacancy likely to happen for that borough, I desire you to inform your anonymous correspondent, that I have done nothing therein, or upon any occasion whatever, that I am not ready to vindicate as a gentleman to any one that shall require it.

‘ W. LEE.

‘ Hartwell, Dec. 6, 1763.’

Although Mr. Wilkes was very innocent of the paragraph alluded to, yet he could not help taking notice of so extraordinary a letter; and immediately wrote the following answer.

To Sir William Lee of Hartwell, in the county of Bucks, bart.

‘ SIR,

‘ Give me leave to congratulate you on your having commenced author, and the *London Evening Post*, on the great acquisition made of such talents as your’s for that paper. I doubt not of your soon distancing all the other ministerial

‘ *ministerial* writers; and though you may not
 ‘ regularly on Saturday nights have your pay
 ‘ counted out to you, yet some little snug fine-
 ‘ cure, or a ministerial mandate to a county,
 ‘ for what you were very lately so awkwardly
 ‘ gaping after, (though thank heaven you were
 ‘ disappointed) may, in the end, recompence
 ‘ your labours.

‘ I must, however, recommend to you, ra-
 ‘ ther more temper, you *start* too furiously;
 ‘ you should first play with bended reins, then
 ‘ urge by degrees more rapidly, and at last
 ‘ try the whole fury of the course. As a
 ‘ young man, you are intitled to pardon, but
 ‘ you should have laughed at an idle para-
 ‘ graph in a news-paper, in which your GREAT
 ‘ name is not at length. Did the conscious-
 ‘ ness of having merited that little satire, sting
 ‘ you? I have a right to ask you; for in
 ‘ your curious letter, you say, *I have done no-*
 ‘ *thing therein, or upon any occasion whatever*
 ‘ (bravo! W. Lee de seipso) *that I am not*
 ‘ *ready to vindicate as a Gentleman to any one*
 ‘ THAT (not who) *shall require it*. Now I
 ‘ will only remark, *That, that that* worthy ba-
 ‘ ronet urges it the very pink of chivalry, and
 ‘ is *that that* is very brave. But do you mean
 ‘ to *vindicate* it by your *pen* or your *sword*? If
 ‘ by your *pen*, as you offer to *vindicate it to*
 ‘ *any one*, I A. B. beg to ask you a few ques-
 ‘ tions. Was it consistent with *honour* and
 ‘ *humanity* to begin a canvass in the borough

‘ of Aylesbury, when there was no certainty
‘ of any vacancy, and the present member lay
‘ dangerously ill from an affair of *honour*? Was
‘ this christian-like, pouring oil into his bleed-
‘ ing wounds; or, was it not, as far as you
‘ could, planting thorns under a sick man’s
‘ pillow? Was it fair, candid, or just, order-
‘ ing application to be made to one of the re-
‘ turning officers, who is Mr. Wilkes’s tenant?
‘ Have you ever had any provocation from Mr.
‘ Wilkes? Have you not always been upon
‘ terms of civility with him? Justify then to
‘ the world, the propriety, the decency, or
‘ even the humanity of your conduct.

‘ But, perhaps, I mistake you, and you
‘ meant to justify it by your *sword*. You have
‘ just begun by *inking* your *maiden pen*, and
‘ you might possibly mean at the same time
‘ to contrive to *flesh* your *maiden sword*. Pray
‘ be explicit, and let me know if you meant to
‘ send a challenge to all the world by the *Lon-*
‘ *don Evening Post*. Was ever any thing so
‘ truly noble and great?

‘ But I tire you and myself: I shall there-
‘ fore conclude, with only begging of you,
‘ that, instead of beginning any disturbances
‘ at Aylesbury, you would keep your own
‘ little parish of Hartwell quiet, and be re-
‘ conciled to a worthy clergyman, who never
‘ offended you, and whom your good father
‘ cherished and honoured.

‘ White Hart, Aylesbury, Dec. 16, 1763.’
In

In the Christmas holidays, Mr. Wilkes, being somewhat better, took that opportunity, during the adjournment of the house, to pay a visit to his daughter at Paris, but was there taken so ill as to render a return to England impossible for some time, during which the following transactions happened.

On his arrival at Paris, he received the following card from Samuel Martin, who had fled thither in consequence of their late duel.

‘ Hotel de Luynes, Dec. 30, 1763.

‘ Mr. Martin presents his compliments to
‘ Mr. Wilkes, and desires to know how he
‘ does, flattering himself, from Mr. Wilkes’s
‘ performance of so long a journey, at this
‘ season of the year, that his health is perfectly
‘ re-established.

‘ Mr. Martin cannot help taking this opportunity to assure Mr. Wilkes, that he had desired Mr. Bradshaw to deliver up Mr. Wilkes’s note, written to Mr. Martin on the 16th Nov. as it occurred to the latter that any imaginable use might be made of it to Mr. Wilkes’s prejudice, and before Mr. Martin had heard from Mr. Bradshaw that it was actually given up.

‘ Mr. Martin returns his thanks to Mr. Wilkes for his attention to Mr. Martin’s safety, by giving the early notice he did to Mr.
‘ Bradshaw,

‘ Bradshaw, of his apprehending himself to be
‘ in danger.

‘ It is impossible for Mr. Martin to think of
‘ taking part in any affair of Mr. Wilkes’s that
‘ he may find depending in the House of Com-
‘ mons at his arrival in England. He proposes
‘ to set off from hence on his return home on
‘ Monday next, but believes he shall not set
‘ foot in London till those affairs are deter-
‘ mined, to avoid even a colour of suspicion
‘ that he is capable of appearing against Mr.
‘ Wilkes after what hath so recently hap-
‘ pened.’

To which Mr. Wilkes returned the follow-
ing answer :

‘ Hotel de Saxe, Dec. 30, Friday.

‘ Mr. Wilkes’s compliments to Mr. Martin,
‘ and is much obliged by the favour of his
‘ note. Mr. Wilkes is going to pay his re-
‘ spects to lord Hertford, and if Mr. Martin
‘ is disengaged, will afterwards wait upon him
‘ for a quarter of an hour, at the Hotel de
‘ Luynes.’

Mr. Wilkes finding it impossible, from the
ill state of his wound, to be able to reach Eng-
land by the day appointed (the 19th of Janua-
ry), sent from Paris the following letter and
certificates to the speaker of the House of Com-
mons.

‘ Paris,

‘ Paris, Hotel de Saxe, Jan. 11, 1764.

‘ SIR,

‘ I cannot express the concern I am under,
‘ from the impossibility I now find of attend-
‘ ing my duty in parliament on the 19th of
‘ this month: I have suffered very much from
‘ the tour I made here in the holidays to see
‘ my daughter: my wound is again become
‘ extremely painful, the parts are very much
‘ inflamed, and a fever attends it. I inclose
‘ a certificate of one of the King’s physicians,
‘ and a surgeon of the army, gentlemen of emi-
‘ nence in their profession, who think it abso-
‘ lutely necessary for me to stay some time
‘ longer at Paris. I refer to the certificate it-
‘ self for the particulars.

‘ The impatience I feel to justify myself
‘ to the House, from the groundless and cruel
‘ attacks upon me, and the zeal I hope ever
‘ to retain for the vindication of the sacred
‘ rights of the Commons of Great Britain, and
‘ the privileges of parliament, both of which
‘ have been grossly violated in my person,
‘ had determined me to set out for England
‘ on Friday next; but I now find myself inca-
‘ pable of performing the journey. I am there-
‘ fore, Sir, under the necessity of entreating
‘ you to submit my case to the House, and I
‘ doubt not, from their justice, a more distant
‘ day will be appointed, when it may be in
‘ my power to attend the discussion of points
‘ very

‘ very important in themselves, and in which I
 ‘ am very materially concerned.

‘ I would not, Sir, implore this of the House,
 ‘ if I thought the delay could be attended with
 ‘ any possible inconvenience to the public ; and
 ‘ I beg to observe, that I seized the first mo-
 ‘ ment, which the resolutions of parliament
 ‘ gave me, to enter my appearance to the in-
 ‘ formations filed against me in the King’s
 ‘ Bench.

‘ I am,

‘ With due respect and regard,

‘ Sir, your most obedient

‘ humble servant,

‘ JOHN WILKES.’

‘ Right hon. Sir John Cust.’

‘ Nous, souffignés, médecin-consultant du
 ‘ roi, ci-devant médecin en chef de ses armées
 ‘ en Allemagne et en Espagne ; et nous, chi-
 ‘ rurgien-consultant des armées, et chirurgien
 ‘ major du régiment des Gardes Françoises,
 ‘ certifions que monsieur Mr. Jean Wilkes est
 ‘ dans un état qui ne lui permet point, tant par
 ‘ rapport à sa blessure, qui n’est pas encore
 ‘ entièrement cicatrisée, que par rapport à la
 ‘ fièvre qui lui est survenue, d’entreprendre la
 ‘ route de Paris à Londres ; qu’il seroit à
 ‘ craindre, vû l’inflammation et le boursoufle-
 ‘ ment considérable arrivés depuis peu de jours,
 ‘ qu’il

‘ qu’il ne se formât une hernie, à laquelle il ne
‘ feroit point possible de remédier; que, pour
‘ prévenir cet accident dont il est menacé, et
‘ que le mouvement violent, tel que celui d’une
‘ chaise de poste, et l’agitation de la mer, ne
‘ manqueroient pas de déterminer; il est ab-
‘ solument indispensable, qu’il reste encore
‘ quelque temps à Paris. En foi de quoi nous
‘ lui avons délivré le présent certificat.
‘ *A Paris, 11 Janvier, 1764.*

‘ DINNIN.
‘ DUFOUART.’

‘ London, Jan. 17th, 1764.

‘ SIR,

‘ I received, by the post, this day, the fa-
‘ vour of your letter, dated from the Hotel
‘ de Saxe at Paris the 11th instant, together
‘ with a certificate of a physician and sur-
‘ geon, both which I shall, according to your
‘ desire, communicate to the House of Com-
‘ mons on Thursday next, to which day the
‘ House yesterday adjourned.

‘ I am very sorry, Sir, for the account which
‘ you give of your health; and am,

‘ Sir, your most obedient,
‘ humble servant,

‘ JOHN CUST.’

‘ Directed to John Wilkes, esquire.’

We come now to a second important day in the annals of the House, the 19th of January.

The order of the day being read for the attendance of John Wilkes, esq; in his place, to answer a charge mentioned in an order of this House, of Thursday the first day of December last: Mr. Speaker acquainted the house, “ That he, upon Tuesday last, received a letter by the general post from Mr. Wilkes, dated Paris the 11th instant, inclosing a paper in the French language, purporting to be a certificate of one of the French King’s physicians, and of a surgeon of the said King’s army, relating to the state of Mr. Wilkes’s health, subscribed with two names, but not authenticated before a notary public, nor the signature thereof verified in any manner whatsoever.” And Mr. Speaker read the said letter to the House (*the preceding letter and certificate.*)

A motion being made, and the question being put, “ That the further consideration of the said order for the attendance of John Wilkes, esq; be adjourned till to-morrow morning? The house divided. The Yeas went forth.

Tellers for { Lord Harry Powlett, } 102.
the Yeas { Mr. Mawbey, }

Tellers

Tellers for { Lord Strange,
the Noes { Mr. Thomas Pitt, } 239.

So it passed in the negative.

A motion was made, and the question being put, “ That John Wilkes, esq; a member of
“ this House, having been required, by the re-
“ peated orders of this House, to attend in his
“ place, to answer the charge of being the au-
“ thor and publisher of the printed paper, in-
“ titled, *The North Briton*, No. 45, and hav-
“ ing been from time to time excused from
“ his attendance upon the days appointed, on
“ the representations made to this House of his
“ utter inability to attend in respect of his
“ health, and after refusing to admit the phy-
“ sician and surgeon, appointed by this House,
“ to observe and report the state of his health,
“ having withdrawn himself into a foreign
“ country, without assigning a sufficient cause,
“ is guilty of a contempt of the authority of
“ this House; and that this House will there-
“ fore now proceed to hear the evidence upon
“ the matter of the said charge.” The House
divided. The Yeas went forth.

Tellers for { Lord Thomond,
the Yeas { General Townshend, } 275.
Tellers for { Lord Gage,
the Noes { Mr. James Grenville, } 70.

So it was resolved in the affirmative.

Then

Then another of the said papers, intituled, “The North Briton, No. 45,” was produced, and delivered in at the table.

And several of the persons who were ordered to attend the House this day, were called in, and examined at the bar, in support of the said charge.

And a motion was made, and the question being put, “That the further hearing of evidence upon the matter of the said charge be adjourned till to-morrow morning.” The House divided. The Yeas went forth.

Tellers for	{ Mr. Harbord,	}	64.
the Yeas	{ Mr. Onslow,		
Tellers for	{ Mr. Edmonstone,	}	225.
the Noes	{ Mr. Whately,		

So it passed in the negative.

Then several other of the persons who were ordered to attend the House this day, and also another witness, were severally called in, and at the bar examined, and evidence was produced in further support of the said charge.

And a motion was made, and the question being put, “That the further hearing of evidence upon the matter of the said charge, be adjourned till to-morrow morning.” The House divided. The Yeas went forth.

Tellers

Tellers for { Mr. Milles,
the Yeas { Mr. Nicholson Calvert, } 57.

Tellers for { Mr. Frederick Montagu,
the Noes { Sir John Glynne, } 227.

So it passed in the negative.

Then another of the persons, who were ordered to attend this House this day, was called in, and at the bar examined in further support of the said charge. And the House having continued to sit till past two of the clock on Friday morning,

A motion was made, and the question being put, that the further hearing of evidence upon the matter of the said charge be adjourned till this day at twelve of the clock,

It passed in the negative.

Then another of the persons who were ordered to attend this House this day, and also one of the aforementioned witnesses was again called in, and at the bar severally examined, and evidence was produced in further support of the said charge.

Resolved, That it appears to this House, that the said John Wilkes, esq; is guilty of writing and publishing the paper, intitled, “ The “ North Briton, No. 45,” which this House has voted to be a false, scandalous, and seditious libel, containing expressions of the most unexampled insolence, and contumely towards

his Majesty, the grossest aspersions upon both Houses of Parliament, and the most audacious defiance of the authority of the whole legislature, and most manifestly tending to alienate the affections of the people from his Majesty, to withdraw them from their obedience to the laws of the realm, and to excite them to traiterous insurrections against his Majesty's government.

Resolved, That the said John Wilkes, esq; be, for his said offence, **EXPELLED** this House.

Friday the 20th of January, a new writ was ordered for the electing of a burghers to serve in this present parliament for the borough of Aylesbury, in the room of John Wilkes, esq; expelled this House.

Mr. Wilkes's complaint of a breach of Privilege (so long before as the 15th of November) of this House, by Robert Wood and Philip Carteret Webb, members of the House, and Robert Blackmore, James Watson, and John Money, by the imprisonment of the person of John Wilkes, esq; then a member of the House, and the seizing of his papers in an illegal manner, was again preferred this day, and the matter of the said complaint was ordered to be heard at the bar of the House on Thursday next.

But on the Monday following, the 23d of January, a motion was made that the order of Friday might be read; which being done was discharged,

discharged, and an order made for hearing the matter of the said complaint on Monday the 13th of February following. Previous to this hearing, Mr. Wilkes sent the Speaker the following Letter, inclosing another certificate, which is not printed in the Journals of the House.

‘ Paris, Feb. 5, 1764.

‘ SIR,

‘ I took the liberty of transmitting to you
‘ on the 11th of last month the original of a
‘ certificate, which was entirely the hand-writ-
‘ ing of Mr. Ninnin, one of the King’s phy-
‘ sicians, and signed by that gentleman, as well
‘ as by Mr. Dufouart, a surgeon of the army.
‘ It was not imagined here that any thing more
‘ was necessary among gentlemen. If the House,
‘ or any single member, had desired a notarial
‘ act of the authenticity of the certificate, I
‘ should sooner have troubled you with the en-
‘ closed, which is attested by our ambassador at
‘ this court. It now becomes my honour to
‘ request that it may be laid before the House.

‘ I do not mean, Sir, to mispend my time
‘ in making any remarks on the late proceed-
‘ ings. They are so obvious, that they will
‘ immediately occur to every man, who is not
‘ lost to the principles of virtue, and dead to
‘ the feelings of honour and humanity. I
‘ am not able at present to say much, but this
‘ I will add, that I am sure my countrymen
‘ of the present age, and the faithful historian’s

‘ page, will do justice to the uprightness of my
 ‘ intentions, to my ardent love of the constitu-
 ‘ tion of our happy island, and to the honest
 ‘ efforts I have made in the cause of liberty.
 ‘ I rejoice that I have been the instrument in
 ‘ the hand of Providence to obtain very impor-
 ‘ tant legal decisions in favour of my fellow
 ‘ subjects.

‘ I am, with *becoming* regard, Sir,

‘ Your very humble servant,

‘ JOHN WILKES.’

‘ Directed to the right honourable Sir John
 ‘ Cust.’

A Certificate, omitted in the Journals.

‘ Pardevant les conseillers du Roi, notaires
 ‘ au Châtelet de Paris ; soussignés, furent pré-
 ‘ sents M. Henri Ninnin, médecin-consultant
 ‘ du roi, & ci-devant médecin en chef de ses
 ‘ armées en Allemagne & en Espagne, & sieur
 ‘ Paul Dufouart, chirurgien-consultant des
 ‘ armées du Roi, & chirurgien-major du régi-
 ‘ ment des Gardes Françaises, tous deux de
 ‘ nous notaires soussignés, bien connus, de-
 ‘ meurant enclos de l’Abbaye Saint-Germain-
 ‘ des-Prés, paroisse Saint-Symphorien.

‘ Lesquels, en confirmant le certificat sous
 ‘ signature privée, qu’ils déclarent avoir donné
 ‘ le 11 Janvier dernier, & qui a été envoyé à
 ‘ Londres, ont, par ces présentes, de nouveau
 ‘ certifié

‘ certifié & attesté à tous qu’il appartiendra,
‘ que le dit jour, 11 Janvier dernier, & pen-
‘ dant le reste du même mois, Mr. Jean Wilkes
‘ étoit dans un état qui ne lui permettoit pas,
‘ tant par rapport à sa blessure, qui n’étoit pas
‘ entièrement cicatrisée, que par rapport à la
‘ fièvre qui lui étoit survenue, d’entreprendre
‘ la route de Paris à Londres ; qu’il auroit été
‘ à craindre, vû l’inflammation & boursoufle-
‘ ment considérable arrivés alors à sa plaie,
‘ qu’il ne se formât une hernie, à laquelle il
‘ n’auroit pas été possible de remédier ; que,
‘ pour prévenir cet accident dont il étoit me-
‘ nacé, & que le mouvement violent, tel que
‘ celui d’une chaise de poste, & l’agitation de
‘ la mer, n’auroient pas manqué de déterminer,
‘ il étoit absolument indispensable qu’il restât
‘ encore quelque temps à Paris ; ce que les dits
‘ sieurs comparans ont affirmé & attesté, pour
‘ avoir visité & pansé le dit sieur Wilkes pen-
‘ dant sa maladie, & ont requis actes aux no-
‘ taires soussignés, pour servir & valoir ce que
‘ de raison.

‘ Fait & passé à Paris, en l’Etude, l’an mil-
‘ sept-cent-soixante-quatre, le 3 Février, &
‘ ont signé

‘ (Scellé les dits jour & an.)

‘ NINNIN. ‘ DUFOUART.

‘ ROBINEAU.

‘ DE LA RUE.’

‘ * This day, the 5th of February 1764, there
 ‘ appeared before me M. de la Rue, and made
 ‘ oath that he was a notary public, that he had
 ‘ signed the above paper, that M. Robineau was
 ‘ also a notary public, and had signed the same.

* It has been one of the disgraces of a late administration, that scarcely a single sentence of any public act was good *English*. The reason perhaps is, that no *English* were employed in the real business? Lord Hertford signs a paper of only *two* sentences in our language drawn up by his Scottish secretary, *David Hume*, and yet we find *three* palpable blunders in it. *THERE appeared*. Where? It is not mentioned in the act of the English Ambassador *where* Monsieur de la Rue appeared. *Where* did Lord Hertford see Monsieur de la Rue? Was it at Paris, Versailles, Fontainebleau, or Compeigne? It is not stated in this paper. The French gentlemen are accurate. Their act is declared to be done *at Paris* on the third of February. We have no hint where lord Hertford was on the fifth. From any information this paper affords us, he might be returned to *London*, and might have signed it as a *Justice of the Peace*. Lord Hertford is not named as *Ambassador*, nor his capacity of attesting a public act stated.

There appeared Monsieur de la Rue, is a strange and harsh construction, not very usual. The verb takes the place of its own nominative. It should rather be, *Monsieur de la Rue appeared before me*, &c. We should know first who the person is, before the quality of *appearing*, or indeed any other, is given to him. Such is the general *concord* of our grammar; but that administration were as little solicitous to preserve *concord* among *verbs* and *nouns*, as among *provinces* and *kingdoms*. They made a libel on the late French Minister, *Monsieur D'Eon*, I charitably hope, more from ignorance than malice. When that gentleman's *public character* ceased, they declared he had *no character*. The *London Gazette* told the world, *His Majesty has been pleased to declare that Monsieur D'Eon has no longer ANY CHARACTER here, and has forbid him the Court*.

‘ In

‘ In witness whereof I have hereunto * affixed
‘ my hand and seal.

‘ HERTFORD.’ (L. S.)

Monday the 13th of February, the House (according to order) proceeded to the hearing the matter of the complaint, and several persons were examined at the bar of the House; Mr. Webb and Mr. Wood were heard in their places, and the further hearing of the matter adjourned ’till the next day.

Tuesday the 14th, the order of the day being read for resuming the adjourned consideration of the matter of the said complaint, when several evidences were examined, a motion was made, and the question being proposed, “ That
“ a general warrant for apprehending and seiz-
“ ing the authors, printers and publishers of a
“ seditious libel, together with their papers,
“ is not warranted by law ;” and a debate arising in the House thereupon, and it being near two of the o’clock on Wednesday morning, a motion was made, and the question being proposed, that the debate be adjourned ’till this day at twelve o’clock : an amendment was proposed to be made to the question last proposed, by inserting after the word, “ debate,” these

* Lord Hertford says, that he has *affixed his band and seal*. How does a man *affix his band* ? I may *set my band and seal*, or I may *affix my seal* ; but how can I *affix my band* ?

words, “ and the further consideration of the “ matter of this complaint ;” and the house dividing, it passed in the negative, 207 to 197. Then another amendment was proposed to be made to the said question, by leaving out the words, “ this day at twelve of the clock,” and inserting the words, “ Friday morning next,” instead thereof, and the question being put, that the words, “ this day at twelve of the clock,” stand part of the question, it passed in the negative ; and the question being put, that the words “ Friday morning next” be inserted instead thereof, it was resolved in the affirmative. *Ordered*, That the said debate be adjourned ’till Friday morning next.

A motion was made, that the complaint against Robert Wood, esq; a member of the house, for a breach of the privilege of the House, be discharged ; and a motion being made, that the House do now adjourn, it passed in the negative, 208 to 184 ; then the motion being again made, that the complaint against Robert Wood be discharged, Mr. Wood withdrew. *Ordered*, That the complaint against Robert Wood, esq; be discharged.

A motion being made, that the complaint against Philip Carteret Webb, esq; a member of the House, for a breach of the privilege of the House, be discharged, Mr. Webb withdrew. *Ordered*, That the complaint against Philip Carteret Webb be discharged. *Ordered*, That the complaint against John Money, Robert Blackmore,

Blackmore, and James Watson be discharged. And then, the House having continued to sit till half an hour after seven o'clock on Wednesday morning, adjourned till Friday morning next, nine of the clock.

Friday the 17th of February, 1764, the House resumed the adjourned debate upon the question proposed upon Tuesday last, "That
" a general warrant for the apprehending and
" seizing the authors, printers, and publishers
" of a seditious libel, together with their pa-
" pers, is not warranted by law ;" and an amendment was proposed to be made to the question, by inserting after the word " seditious," the words " and treasonable ;" and the said amendment was, upon the question put thereupon, agreed to by the House. Another amendment being proposed to be made to the question, by adding at the end thereof these words, " although such warrant hath been according
" to the usage of office, and hath been frequently produced to, and never condemned
" by courts of justice : " an amendment was proposed to be made to the said proposed amendment, by inserting after the first " been," the word " issued," and the said amendment was, upon the question put thereupon, agreed to by the House.

Then another amendment was proposed to be made to the said proposed amendment, by leaving out the words " never condemned by courts of justice," and inserting the words " so
" far

“ far as appears to this house, the validity
 “ thereof hath never been debated in the court
 “ of King’s Bench, but the parties thereupon
 “ have been frequently bailed by the said
 “ court ;” and the question being put, that
 the words “ never condemned by courts of
 “ justice,” stand part of the proposed amend-
 ment, it passed in the negative. And the ques-
 tion being put, that the words “ so far as ap-
 “ pears to this House the validity thereof hath
 “ never been debated in the court of King’s
 “ Bench, but the parties thereupon have been
 “ frequently bailed by the said court,” be in-
 serted instead thereof, it was resolved in the
 affirmative. Then the said amendment so
 amended was, upon the question put thereupon,
 agreed to by the House.

And then the main question so amended be-
 ing proposed, “ That a general warrant for
 “ apprehending and seizing the authors, print-
 “ ers, and publishers, of a seditious and treason-
 “ able libel, together with their papers, is not
 “ warranted by law, although such warrant
 “ hath been issued according to the usage of
 “ office, and hath been frequently produced to,
 “ and, so far as appears to this House, the va-
 “ lidity thereof hath never been debated in the
 “ court of King’s Bench, but the parties there-
 “ upon have been frequently bailed by the said
 “ court ;”

And a debate arising in the House thereupon ;
 And a motion being made, and the question

being put, “ That the said debate be adjourned
“ till this day four months :” The House di-
vided.

Tellers for { Mr. Rigby,
the Yeas { Sir John Phillips, } 232.

Tellers for { Mr. Townshend,
the Noes { Mr. Shelly, } 218.

So it was resolved in the affirmative.

Thus when the ministerial party were so near
pushed, the above evasion and subterfuge was
made use of to prevent, in more express terms,
the sanction of parliament being given to the
declaration of the illegality of a general war-
rant.

We have now the happiness of entirely get-
ting rid of the Journals, and we congratulate
the reader that his time and attention will be
no longer taken up with the contemplation of
the venal transactions of such a wicked and pro-
fligate House of Commons. But Mr. Wilkes,
in his letter to the electors of Aylesbury, sets
the above transactions in a full and clear light ;
which letter the reader will meet with in p.
98, &c.

Extract of a letter, supposed to have been written by Mr. Wilkes from Paris, June 5, 1764.

‘ — The two noble *Swedish whigs*, of whom
 ‘ you were so fond, did me the favour of din-
 ‘ ing here yesterday. I passed the day very
 ‘ happily, though not so joyously as that day
 ‘ twelvemonth, in the midst of my worthy con-
 ‘ stituents at Aylesbury, all of us in full chorus
 ‘ to the liberties of our country, and the vir-
 ‘ tues of our sovereign; yet after the late fla-
 ‘ grant acts of despotic power in the minis-
 ‘ ters, not forgetting either their wickedness or
 ‘ their insolence. * *Joly’s champagne* was not
 ‘ necessary to inspire the highest good humour
 ‘ and gaiety on so white, so auspicious a day
 ‘ as the *fourth of June*. The toast consecrated
 ‘ the wine, and gave it the true flavour, although
 ‘ I could not help lamenting my hard and un-
 ‘ merited lot, of being forced to give such a toast
 ‘ out of my own dear country, and in a land
 ‘ where the standard of *liberty* is not yet erect-
 ‘ ed. With Miss Wilkes’s help we made out
 ‘ tolerably well, GOD SAVE GREAT
 ‘ GEORGE, OUR KING; and as the
 ‘ duke of Nivernois says in one of his letters,
 ‘ *Nous avons toasté & chanté fort gaiement, &*
 ‘ *enfin nous avons été quatre bonnes heures à table.*
 ‘ As I am an universal *whig*, I could not avoid
 ‘ giving an additional stanza, the poetry of

* A wine-merchant at Paris.

‘ which

‘ which I endeavoured to bring *down* as low
‘ as the rest of the song, and I believe I suc-
‘ ceeded. The thought was good, that the
‘ name of BRUNSWICK may ever be as
‘ propitious to the liberties of mankind as that
‘ of NASSAU, and that our gracious sovereign,
‘ through a long and glorious reign, *equally*
‘ *feared abroad and beloved at home*, may approve
‘ himself as steady a patron of the rights of
‘ Englishmen as his grandfather was. On the
‘ whole, it proved the most agreeable day I have
‘ passed since a few of us in April kept the an-
‘ niversary of the victory at CULLODEN,
‘ which a good many others seem to have a
‘ *memorandum to forget*, or at least to neglect
‘ very shamefully.

‘ Lord *Hertford* gave yesterday a grand din-
‘ ner to all the *English* here, *except one*, and to
‘ the true *Irish* whigs; nor like a good cour-
‘ tier, did he omit the new converts, the *Scots*.
‘ He did not however observe the distinction
‘ which is so much in fashion on your side
‘ the water, for the friends of the *Hanover* fa-
‘ mily were received at least as well as their
‘ known enemies. My lot is particular and
‘ droll enough. I am the single *Englishman* not
‘ invited by the ambassador of my country, on
‘ the only day I can at *Paris* shew my attach-
‘ ment to our sovereign, as if I was disaffected
‘ to the present establishment, and yet I am
‘ frequently and grossly abused by a ridiculous
‘ fellow at *Bouillon*, because I am known to
‘ hate

‘ hate the other family, and his master, the *duke*,
 ‘ married the sister of the Pretender’s wife, a
 ‘ princess of Poland, of the house of Sobieski.
 ‘ This scribbler is one *Rousseau*, who by a
 ‘ wretched *Journal* does all he can twice a
 ‘ month to degrade a name made illustrious by
 ‘ one of the best French poets, and by the
 ‘ great philosopher, though *in these times* no
 ‘ longer the citizen, of Geneva. He lays at
 ‘ my door the North Britons against the Stu-
 ‘ arts, and their *dear friends* in the north of
 ‘ our island.

‘ You may believe me, when I assure you,
 ‘ it was not the slightest mortification to me,
 ‘ that I did not receive an invitation to the
 ‘ Hotel de Brancas. When I was asked, how
 ‘ it could happen that so staunch a *Whig* as
 ‘ Mr. Wilkes was not invited on the 4th of
 ‘ *June*, I laughed like the old *Roman*, *I had*
 ‘ *rather you should ask why I was NOT than*
 ‘ *why I WAS invited*; perhaps it should have
 ‘ been asked, why some *others* were invited.
 ‘ The list of the company, of the *Macs* and
 ‘ *Sawneys*, *NOT in the French service*, would
 ‘ divert you. I wish some of our neighbours
 ‘ from the other side of the Tweed may not
 ‘ keep the * *twenty-first* with more real devotion
 ‘ than they did the *fourth*. With respect to
 ‘ external rites they were exemplary here, as

* The Pretender’s birth-day.

‘ all new converts are; and I believe you find
‘ them in England good *occasional conformists*,
‘ though I shall ever imagine, that it depends
‘ on contingencies how long they will continue
‘ so. To say the truth, I passed the day much
‘ more to my satisfaction than I should have
‘ done in a set of mixed or suspicious company,
‘ a fulsome dull dinner, two hours of mighty
‘ grave conversation, to be purchased in all ci-
‘ vility by six more of PHAROAH, which I
‘ detest, as well as every other kind of gaming.
‘ As to the Ambassador, I have never had the
‘ least connection with him, nor indeed do I
‘ now wish it; as little too at this time with
‘ his * *Scottish* secretary, or at any time with
‘ his † *Scottish* chaplain.

‘ An Ambassador generally owes his very no-
‘ mination to ministerial influence, and is al-
‘ most of course (‡ *though this does not extend*
‘ *through his family*) under the direction of the
‘ ministers, or perhaps as to the present case,
‘ in all propriety we ought to say, of the mi-
‘ nister, who, *behind and between the curtains*,
‘ still governs our island. I have never been
‘ presented at court, because an Englishman
‘ should be presented by the English Ambassa-

* Mr. David Hume.

† Mr. James Trail, now bishop of Down and Connor.

‡ General Conway, the brother of lord Hertford, was then
in the opposition,

‘ dor ; and I will not ask any favour of lord
 ‘ Hertford, in the present state of public af-
 ‘ fairs ; although, as a private nobleman, I
 ‘ should be ambitious to merit, and most for-
 ‘ tunate to obtain, his friendship, as well as
 ‘ lord Beauchamp’s, from their real sterling
 ‘ sense, great intrinsic worth, and what sets off
 ‘ the whole, their *ingenuous, amiable manners* *.
 ‘ I have the protection of the laws, which I
 ‘ never offend, and I am at Paris like any other
 ‘ foreigner, who has no favour to ask, nor
 ‘ need seek any particular protection or secu-
 ‘ rity. The eulogy, which the noblest of poets †
 ‘ gives me, that I neither

Court the smile, nor dread the frown of Kings,

‘ is as exact truth here as you know it to
 ‘ have been while I was at home. The small
 ‘ circle in which I now walk, will however
 ‘ bear testimony to the just tribute of grati-
 ‘ tude I pay to the humane virtues of a prince,
 ‘ under whose mild and gentle government I
 ‘ meet with that protection, which an inno-
 ‘ cent man had a right to expect, but could
 ‘ not find in his own country, under his own
 ‘ sovereign. Yet let me do justice, and carry
 ‘ my complaints to the source from whence

* This last circumstance seems to give an air of irony to the whole.

† Churchill.

‘ they

‘ they spring, to the base contrivances of ministers, exceedingly wicked and corrupt, and besides stung to the quick, who had obtained a most unhappy ascendancy over the mind of their Prince, and to secure themselves, had endeavoured to make their most odious measures pass for the measures of their master, that the enormous load of their guilt might be thrown from themselves upon him; a practice not new, but of which every reign of the Stuarts furnishes examples.

‘ I hope soon to send you part of a work, *quod et hunc in annum vivat et plures*. It opens with the general idea of political liberty; then proceeds to examine the sentiments of the European nations on this head, as distinguished from the almost universal gross despotism of the rest of the world. The third part is a criticism on the various governments of Europe. The fourth and last, is entirely on the English constitution, the various changes it has undergone, the improvements made in it by the glorious *Revolution*, and the no less happy than timely *accession* of the house of Brunswick. There are a few hints of some remedies to the defects still subsisting in this noble, and, if my prayers are heard, this eternal fabric. A large *Appendix* contains, I hope, a full justification of my conduct upon constitutional grounds. A variety of characters are drawn from the life, which, if I mistake not, will entertain you.

‘ They are certainly curious and genuine, and
 ‘ I believe not *skeletons*, though I hope the ori-
 ‘ ginals will be so before the book is pub-
 ‘ lished.

‘ I am tolerably well in health, and my spi-
 ‘ rits are not funk. I bear up still with cou-
 ‘ rage; but *illum hausi dolorem vel acerbissi-*
 ‘ *mum in vitâ, abstrahi è sinu gremioque pa-*
 ‘ *triæ.* Adieu.’

*A letter to the worthy Electors of the borough of
 Aylesbury, in the county of Bucks.*

“ *Vox Populi, vox Dei*, ought to be under-
 “ stood of the universal bent and current of a
 “ People, not of the bare MAJORITY of a few
 “ *Representatives*; which is often procured by
 “ little arts, and great industry and applica-
 “ tion; wherein those who engage in the pur-
 “ suits of *Malice* and *Revenge*, are much more
 “ sedulous than such as would prevent them.

“ I have been often amazed at the rude,
 “ passionate, and mistaken results, which have
 “ at certain times fallen from great assemblies,
 “ both ancient and modern, and of other coun-
 “ tries as well as our own. This gave me
 “ the opinion I mentioned a while ago, that
 “ public Conventions are liable to all the in-
 “ firmities, follies, and vices of private men—
 “ therefore when we sometimes meet a *few*
 “ words put together, which is called the *Vote*
 “ or

“ or *Resolution* of an Assembly, and which we
“ cannot possibly reconcile to prudence or pub-
“ lic good, it is most charitable to conjecture
“ that such a *vote* has been conceived, and born,
“ and bred in a private brain, afterwards raised
“ and supported by an obsequious party, and
“ then with usual methods confirmed by an ar-
“ tificial MAJORITY.”

SWIFT. *Contests and Dissentions in
Athens and Rome.*

‘ Paris, Oct. 22, 1764.

‘ GENTLEMEN,

‘ The very honourable, unanimous, and re-
‘ peated marks of esteem you conferred on me,
‘ by committing to my trust your liberty, safe-
‘ ty, property, and all those glorious privileges,
‘ which are your birth-right as Englishmen, en-
‘ title you to my warmest thanks, and to the
‘ highest tribute of gratitude my heart can pay.
‘ Yet in the peculiar circumstances of my case,
‘ I think that I ought not at present to rest
‘ contented with thanking you. I have al-
‘ ways found a true pleasure in submitting to
‘ you my parliamentary conduct. It is now
‘ more particularly my duty ; and when I re-
‘ flect on the real importance and interesting
‘ nature of those great events, in which, as
‘ your representative, I have been more imme-
‘ diately concerned, I am exceedingly anxious
‘ not barely to justify myself, but to obtain the

‘ sanction of your approbation. It has ever
 ‘ been my ambition to approve myself worthy
 ‘ of the choice you have more than once made
 ‘ of me as your deputy to the great council of
 ‘ the nation, with an unanimity equally honour-
 ‘ able and endearing. The consciousness of
 ‘ having faithfully discharged my trust, of hav-
 ‘ ing acted an upright and steady part in Parlia-
 ‘ ment, as well as in the most arduous circum-
 ‘ stances, makes me dare to hope, that you will
 ‘ continue to me what I most value, the good
 ‘ opinion and friendship of my worthy consti-
 ‘ tuents. Having the happiness of being born
 ‘ in a country, where the name of *vassal* is un-
 ‘ known, where MAGNA CHARTA is the in-
 ‘ heritance of the subject, I have endeavoured
 ‘ to support and merit those privileges, to which
 ‘ my birth gave me the clearest right. Secure
 ‘ as I am of fully justifying my conduct, could
 ‘ I persuade myself that I have acted up to the
 ‘ sacred ideas of liberty, which warm the hearts,
 ‘ and inspire the actions of my countrymen, I
 ‘ should not, under all of the most unjust and
 ‘ cruel persecutions, be quite unhappy.

‘ The various charges brought against me
 ‘ may be reduced to two heads. The one is
 ‘ of a public, the other of a private nature.
 ‘ The first is grounded on the political paper of
 ‘ the *North Briton*, No. 45.; the other respects
 ‘ a small part of a ludicrous poem, which was
 ‘ stolen out of my house. The two accusations
 ‘ are only so far connected, that I am convinced
 ‘ there

“ there is not a man in England, who believes
“ that if the *first* had not appeared, the *second*
“ would ever have been called in question.

“ The *Majority* in the *House of Commons* on
“ the 15th of November 1763, *Resolved*, “ That
“ the Paper, intituled, *The North Briton*, No.
“ 45, is a *false, scandalous, and seditious Libel*,
“ containing expressions of the most unex-
“ amplesd insolence and contumely towards
“ his Majesty, the grossest aspersions upon
“ both Houses of Parliament, and the most
“ audacious defiance of the authority of the
“ whole Legislature, and most manifestly tend-
“ ing to alienate the affections of the People
“ from his Majesty, to withdraw them from
“ their obedience to the laws of the realm, and
“ to excite them to traiterous insurrections
“ against his Majesty’s government.” These
“ are the words of the *Resolution*. I mean to
“ examine them with some accuracy.

“ The first charge is, that *The North Bri-*
“ *ton*, No. 45, is a FALSE *Libel*. The *Reso-*
“ *lution* was moved by *Lord North*; yet in a
“ tedious speech he did not attempt to dispute
“ the *veracity* of any one paragraph in the whole
“ paper. I was in my place during that debate,
“ and I took notice to the House, that his lord-
“ ship had not said a word to prove the *falsity*
“ of any one sentence; but I could obtain no
“ satisfaction, not even a reply, on that head.
“ On my trial before lord Mansfield, the word
“ *false* was omitted in the information, because

‘ I suppose the court of *King’s Bench* knew that
 ‘ I would prove publicly *on oath in that court*,
 ‘ by the highest authorities, that every word
 ‘ in it was *true*. The word *false* is not to be
 ‘ found among the various epithets applied to
 ‘ this Paper, in either of the warrants issued
 ‘ by lord Halifax. I am bold to declare, upon
 ‘ the most careful perusal of this Paper, that
 ‘ there is not any one particular advanced,
 ‘ which is not founded on fact, and that every
 ‘ line in it is strictly and scrupulously con-
 ‘ formable to *truth*. I will not compliment
 ‘ the present profligate *Majority* in the *House of*
 ‘ *Commons* so far as to say, they were so well
 ‘ informed, that they knew the exact truth of
 ‘ *every* assertion in that Paper. *One* particu-
 ‘ lar however came within their knowledge,
 ‘ the means by which it is hinted that the
 ‘ ENTIRE APPROBATION OF PARLIAMENT,
 ‘ even of the *Preliminary Articles* of the late
 ‘ inglorious peace, was obtained, and the pre-
 ‘ vious step to the obtaining that ENTIRE AP-
 ‘ PROBATION, the large debt contracted on the
 ‘ *Civil List*. They knew this assertion was ex-
 ‘ tremely *true*, and I am as ready to own that
 ‘ it was extremely *scandalous*.

‘ The second charge of *scandalous* must then
 ‘ be admitted in its full extent, still keeping
 ‘ in our view that it is *true*. But to whom
 ‘ is it *scandalous*? To the *Majority*, who have
 ‘ sacrificed the interests of the nation, by giv-
 ‘ ing the ENTIRE APPROBATION OF PARLIA-
 ‘ MENT,

MENT, of which so much parade is made in the *Speech*, to an act, which ought to have been followed by an impeachment—To the Minister *, who made the late ignominious *Peace*, and in the very first year of it imposed on us an intolerable *Excise*——To the worst of vipers † in our bosom, to the *Tories*, who have never failed to support his unconstitutional measures, who have made us almost forget the infamy of their ancestors at *Utrecht*, by the greater sacrifices of the *Peace of Paris*. These are the objects of satire in a Paper, which deserved indeed the highest resentment of the *Majority*, because it had proclaimed their disgrace, their *scandal* through all Europe. It was very natural for these men no longer to suffer the *supposed* author to sit among them, and I should have gloried in my *expulsion*, if it had not dissolved a political connection with my friends at Aylesbury, which did me real honour.

Another charge is, “That the Paper is a *seditious* libel, tending to withdraw the People from their obedience to the laws of the realm, and to excite them to *traiterous* insurrections against his Majesty’s government.” By the first warrant, under which I was apprehended, *The North Briton*, No. 45, was denominated a *treasonable* Paper. In

* The earl of Bute.

† The King’s mother.

‘ the second, by which I was committed to
 ‘ the Tower, *that* word too was omitted; so
 ‘ that the greatest enemies of this paper seem
 ‘ to give up it’s being either *false* or *reasonable*.
 ‘ Now the charge is varied by the *Majority* in
 ‘ the *House of Commons*, with all the little quib-
 ‘ bling of attornies. The Paper is not TREA-
 ‘ SONABLE, but *it tends to excite* TRAITEROUS
 ‘ *insurrections*. It is remarkable that the epi-
 ‘ thet TRAITEROUS is here given to *insurrection*,
 ‘ as the *supposed* consequence of a *supposed* libel;
 ‘ whereas the Scots, who appeared in open re-
 ‘ bellion so lately as 1745, were in the weekly
 ‘ writings against the *North Briton*, published
 ‘ under the patronage of the *Scottish Minister*,
 ‘ and *paid for by him out of the public treasure*,
 ‘ only termed *insurgents, who defeated regular*
 ‘ *forces*. Yet in fact no *insurrection of any kind*
 ‘ ever did, or could, follow from this publica-
 ‘ tion, even in those parts of the kingdom so
 ‘ lately subjected to all the insolence and cru-
 ‘ elty of the most despicable of our species, the
 ‘ mean, petty *Exciseman*. This is the strongest
 ‘ case which can possibly be put. The EXCISE
 ‘ is the most abhorred monster, which ever
 ‘ sprung from arbitrary power, and the new
 ‘ mode of it is spoken of through this Paper as
 ‘ the greatest grievance on the subject; yet
 ‘ *even in this case*, obedience to the *laws*, and
 ‘ all *lawful authority* is strictly enjoined, and no
 ‘ opposition, but what is consistent with the
 ‘ *laws and the constitution*, is allowed. The
 ‘ words

“ words are very temperate, cautious, and well
“ guarded. “ Every *legal* attempt of a con-
“ trary tendency to the spirit of concord will
“ be deemed a justifiable resistance, warranted
“ by the spirit of the English constitution.”
“ Is this withdrawing the people from their obe-
“ dience to the *laws* of the realm? Is *resistance*
“ recommended, but expressly only so far as it
“ is strictly LEGAL? Let the impartial public
“ determine whether this is the language of SE-
“ DITION, or can have the least *tendency* to ex-
“ cite TRAITEROUS *insurrections*, or whether the
“ House of Commons have not made a *false* and
“ groundless charge.

“ The general charge, that *The North Briton*,
“ No. 45, is a LIBEL, scarcely deserves an an-
“ swer, because the term is vague, and still re-
“ mains undefined by our law. Every man ap-
“ plies it to what he dislikes. A spirited *satire*
“ will be deemed a *libel* by a wicked Minister,
“ and by a corrupt judge, who feel, or who
“ dread the lash. In my opinion the rankest
“ *libel* of modern times is the *false* and fullsome
“ *Address* of the *Majority* in this *House of Com-*
“ *mons* on the *Preliminary Articles*. They said
“ that they had considered them with their *best*
“ *attention*, they expressed the *strongest sentiments*
“ *of gratitude*, they gave their *heartly applause*,
“ they declared the *Peace* would be *no less ho-*
“ *nourable than profitable, solid, and, in all hu-*
“ *man probability, permanent*. Were the *House*
“ *of Commons* serious in this *Address*, which was
“ drawn

‘ drawn up and presented, even before any one
 ‘ of the gross blunders in the *Preliminaries* had
 ‘ been amended? If they were, the body of
 ‘ the people judged better, and did not hesitate
 ‘ to give their clear opinion, that the glories
 ‘ of the war were sacrificed by an *inadequate*
 ‘ and *insecure Peace*, which could not fail of
 ‘ soon retrieving the affairs of *France*. Time
 ‘ has already proved that the nation judged
 ‘ right, and that the *Peace* is in almost every
 ‘ part *infamous* and *rotten*, contrary to the vain
 ‘ boast in the * *Minister’s Speech* at the † be-
 ‘ ginning of the same session, “ The utmost

* This expression, *the Minister’s Speech*, should always be
 used, both from propriety and decency. From propriety, be-
 cause the *Minister* composes it, and therefore it is strictly *his*
speech. From decency, because when it becomes necessary to
 guard the people against any deceit or falsehood, which a wicked
 Administration chuse the King’s tongue to broach, the King’s
 printer to publish, the King’s name to justify, by this precau-
 tion the public odium recoils on the *Minister*, and no blame,
 nor ridicule, directly reach the sacred person of the Sovereign.

The sneer in *Pope* is really indecent. The good bishop, who
 published the late edition of his works, ought in the *mild limbo*
 of his commentary, to have softened the severity of the fol-
 lowing passage.

What *Speech* esteem you most? “ *The King’s*,” said I.
 But the best *words*?—“ O Sir, the *Dictionary*.”

POPE. Warburton’s Edition, vol. iv. p. 275.

† On the 25th of November 1762. The affair of *Dunkirk*,
 the *Canada Bills*, the *Manilla Ransom*, &c. were unsettled at the
 end of May 1769.

“ care

“ care has been taken to remove all occasions
“ of future disputes between my subjects and
“ those of *France* and *Spain*, and thereby to
“ add security and permanency to the blessings
“ of *Peace*.” A declaration not believed by
“ the nation at the time it was made, and since,
“ from a variety of facts, known not to be
“ founded on *truth*. The *North Briton* did
“ not suffer the public to be misled. He ac-
“ knowledged no *privileged vehicle of fallacy*.
“ He considered the *liberty of the press* as the
“ bulwark of all our liberties, as instituted to
“ open the eyes of the people, and he seems to
“ have thought it the duty of a political writer
“ to follow *truth* wherever it leads. In his
“ behalf I would ask even *Lord Mansfield*, can
“ TRUTH be a LIBEL? Is it so in the *King’s*
“ *Bench*? Though it has always found a cold
“ and unwelcome reception from his lordship,
“ though it has through life proved much more
“ his enemy than his friend, yet surely he has
“ not been used to treat it as a *libel*. I do not
“ know what the doctrine of the *King’s Bench*
“ now is, but I am sure that it will be a satis-
“ factory answer to the honest part of mankind,
“ who follow the dictates of sound sense, not
“ the jargon of law, nor the court flattery of
“ venal Parliaments, that the *North Briton*,
“ No. 45, cannot be a LIBEL, because it does
“ not in any one line deviate from *truth*.

“ This unlucky paper is likewise said to con-
“ tain “ expressions of the most unexampled
“ insolence

“ insolence and contumely towards his Majes-
 “ ty, most manifestly tending to alienate the
 “ affections of the People from his Majesty ;”
 “ and by the hirelings of the Ministry it is
 “ always in private charged with *personal* disre-
 “ spect to the King. It is however most cer-
 “ tain that not a single word *personally* disre-
 “ spectful to his Majesty is to be found in any
 “ part of it. On the contrary, the Sovereign
 “ is mentioned not only in terms of decency,
 “ but with that regard and reverence, which is
 “ due from a good subject to a good King—“ A
 “ Prince of so many great and amiable qua-
 “ lities, whom England truly reveres——The
 “ personal character of our present amiable
 “ Sovereign makes us easy and happy that so
 “ great a power is lodged in such hands.”
 “ Are these the “ expressions of the most un-
 “ exemplified insolence and contumely towards
 “ his Majesty,” which the *Majority* in this
 “ House of Commons have declared that it con-
 “ tains? Are these “ expressions most manifest-
 “ ly tending to alienate the affections of the
 “ People from his Majesty?” The *Majority*
 “ who could vote this, seem equally superior
 “ to any regard for truth, or modest fear of
 “ detection. The author of that Paper, so far
 “ from making any personal attack on his So-
 “ vereign, has even vindicated him *personally*
 “ from some of the late measures, which were
 “ so severely censured by the judicious and un-
 “ biassed public. He exclaims, with an honest
 “ indignation,

indignation, “ what a shame was it to see the
“ security of this country, in point of mili-
“ tary force, complimented away, CONTRARY
“ TO THE OPINION OF ROYALTY ITSELF,
“ and sacrificed to the prejudices and to the
“ ignorance of a set of people, the most unfit
“ from every consideration to be consulted on
“ a matter relative to the security of the House
“ of Hanover ?” When the *speech* is men-
“ tioned, when the various absurdities, and
“ even *fallacies* of it, are held out to the na-
“ tion, it is always called, in the language of
“ Parliament and of the constitution, the *Min-
“ ister’s speech* ; and the author declares, that he
“ doubts, “ whether the imposition is greater
“ on the Sovereign or on the nation ;” so ten-
“ der has he been of the honour of his Prince,
“ so zealous in his vindication. The Minister
“ is indeed every where treated with the con-
“ tempt and indignation he has merited, but he
“ is ever carefully distinguished from the Sove-
“ reign. Every kingdom in the world has in
“ it’s turn found occasion to lament that princes
“ of the best intentions have been deceived and
“ misled by wicked and designing *Ministers* and
“ *Favourites*. It has likewise in most countries
“ been the fate of the few daring patriots, who
“ have honestly endeavoured to undeceive their
“ Sovereign, to feel the heaviest marks of his
“ displeasure. It is however I think rather
“ wonderful *among us, even in these times*, that
“ a paper, which contains the most dutiful ex-
“ pressions

‘ pressions of regard to his Majesty, should be
 ‘ treated with such unusual severity, and yet
 ‘ that so many other publications of the same
 ‘ date, full of the most deadly venom, should
 ‘ pass totally unregarded. Some of these pa-
 ‘ pers contained the most opprobrious reflec-
 ‘ tions on that true patron of liberty, the *late*
 ‘ *King*, whose memory is embalmed with the
 ‘ tears of Englishmen, while his ashes are rude-
 ‘ ly trampled upon by others, whom his godlike
 ‘ attribute of mercy had pardoned the crime of
 ‘ unprovoked rebellion. Others were full of
 ‘ the most indecent abuse on our great Prote-
 ‘ stant ally, the King of Prussia, on the near
 ‘ relation of his present Majesty, who has me-
 ‘ rited so highly of the nation by fixing the
 ‘ crown in the House of Hanover, on the
 ‘ staunchest friends of freedom, the City of
 ‘ London, and on the first characters among
 ‘ us. Yet all these papers have passed un-
 ‘ censured by Ministers, Secretaries, and by
 ‘ the two Houses of Parliament.

‘ There only remains one other charge, that
 ‘ the *North Briton*, No. 45, “ contains the
 ‘ “ grossest aspersions upon both Houses of Par-
 ‘ “ liament, and the most audacious defiance of
 ‘ “ the *authority* of the whole Legislature.” It
 ‘ is to be lamented that the *Majority* of either
 ‘ House of Parliament should ever lay the just
 ‘ ground of any *aspersion*, or fall into general
 ‘ contempt with the people. We have seen
 ‘ their actions, and we know the mercenary
 ‘ motives

‘ motives of them. When the *grosslest asper-*
‘ *sions* are complained of, the question is, *Have*
‘ *they been merited? Are they well founded?* It
‘ is in vain they talk of their *authority*. It is
‘ departed from them. *Authority*, which is
‘ founded on esteem and reverence, and is the
‘ constant attendant only of those who are be-
‘ lieved to be good and virtuous, has long ago
‘ left them; but I must own their *power* still
‘ remains. We have seen to what unjustifi-
‘ able lengths it has been carried; and a man
‘ who is rash enough to make an impotent and
‘ unavailing attack upon it, will soon find him-
‘ self the unpitied victim. All thinking men
‘ are full of apprehensions at the approach of
‘ their meeting, and the nation impatiently ex-
‘ pects the allotted term of resuming a power
‘ they have so shamefully abused, by setting
‘ aside those, who have made the noblest blood
‘ of our heroes be spilt almost in vain. Under
‘ the *arbitrary Stuarts*, when our more than
‘ Roman senates dared to bring *truth* to the foot
‘ of the throne, and made the trembling tyrant
‘ obey her sacred voice, the nation was in love
‘ with Parliaments, because they were the steady
‘ friends of liberty, and never met but in fa-
‘ vour of the subject to redress the grievances
‘ of the people. Now we are alarmed at every
‘ approaching *session*, because we know that a
‘ corrupt *Majority* only assemble to make their
‘ own terms with the minister, to load their
‘ fellow-subjects with the most partial taxes, in
‘ order

‘ order to pay the amazing number of useless
 ‘ places and pensions, created only to prevent
 ‘ their *mutiny* or *desertion*, or to surrender to
 ‘ the crown those *privileges* of Parliament, co-
 ‘ eval with the constitution, which were at
 ‘ length acknowledged to be a just claim, and
 ‘ extorted from the usurpation of former *prero-*
 ‘ *gative princes* for the safety of the people, and
 ‘ I fear they meet to forge fetters for themselves
 ‘ and their posterity.

‘ I have thus, gentlemen, gone through all
 ‘ the objections made against this paper, which
 ‘ is certainly innocent, perhaps meritorious,
 ‘ only to shew the extreme injustice of the
 ‘ treatment I experienced, as the *supposed* au-
 ‘ thor. The most cruel orders were given by
 ‘ the deceased secretary of state, *to drag me out*
 ‘ *of my bed at midnight*. A good deal of hu-
 ‘ manity, and some share of timidity, pre-
 ‘ vented the execution of such ruffian-like com-
 ‘ mands. I was made a prisoner in my own
 ‘ house by several of the King’s messengers,
 ‘ who only produced a *General Warrant*, issued
 ‘ without oath, neither naming, nor describing
 ‘ me. I therefore refused to obey a warrant,
 ‘ which I knew to be illegal. I was however
 ‘ by violence carried before the Earls of Egre-
 ‘ mont and Halifax, who thought it worth their
 ‘ while to ask me a tolerable number of plain
 ‘ questions, to not one of which I thought it
 ‘ worth my while to give a plain answer. It
 ‘ is now no small satisfaction to me to know,
 ‘ that

‘ that I have not a friend in the world, who
‘ wishes a single word *unsaid* by me in the cri-
‘ tical moment of that examination. I informed
‘ their lordships of the orders actually given by
‘ the *Court of Common Pleas* for my *Habeas*
‘ *Corpus*; notwithstanding which I was com-
‘ mitted to the Tower, the custody of me shifted
‘ into other hands, and that act for the liberty
‘ of the subject eluded. Although the offence
‘ of which I stood accused, was undoubtedly
‘ *bailable*, yet for three days every person was
‘ refused admittance to me, and the * gover-
‘ nor was obliged to treat me in a manner very
‘ different from the great humanity of his na-
‘ ture, for he had received orders to consider
‘ me as a *close* prisoner. I rejoice that I can
‘ say, I am the only instance of such rigorous
‘ treatment since the accession of the mild house
‘ of Brunswick, although the Tower has twice
‘ been crowded even with rebels from the north-
‘ ern parts of the Island; and therefore I shall
‘ continue to regret the wretched and cowardly
‘ policy, the indecent partiality, and even in-
‘ justice, of conferring on Scotsmen ALL the
‘ governments of the few conquests not tamely
‘ given up by the SCOTTISH *Minister*, con-
‘ quests won by the valour of the united forces
‘ of England, Scotland, and Ireland. While I
‘ suffered this harsh confinement, my house in

* Major Rainsford.

‘ Great George-street was plundered, all my
 ‘ papers were seized, and some of a very * nice
 ‘ and delicate nature, not bearing the most
 ‘ distant relation to the affairs of government,
 ‘ were divulged, as if Administration had been
 ‘ determined to shew, that men, who had vio-
 ‘ lated *public justice*, were incapable of *private*
 ‘ *honour*.

‘ Two days previous to my being heard be-
 ‘ fore a court of justice, I had the grief to find
 ‘ that my enemies had prevailed on his Majesty
 ‘ to shew me a publick mark of his displeasure,
 ‘ by superseding me as *Colonel* of the Regiment
 ‘ of my own county, without any complaint
 ‘ against me, which could not but give such a
 ‘ step the very unconstitutional appearance of
 ‘ an endeavour to *influence* or *intimidate* my
 ‘ judges. When I was brought before the court
 ‘ of *Common Pleas*, I pleaded the cause of *uni-*
 ‘ *versal liberty*. It was not the cause of Peers
 ‘ and Gentlemen only, but of *all the middling*

* Whatever is held most dear or sacred was violated by men
 destitute of every good principle, and spurning at all ties of pri-
 vate conscience, as well as of public decorum. An indiscreet
 letter of the handsome and lively wife of a Member of Parlia-
 ment in the opposition was found in Mr. Wilkes's pocket-book.
 The original was shewn even to some relations of the husband,
 and the peace of two families sacrificed at the altar of ministe-
 rial revenge. A paper was found sealed up and endorsed, *Mr.*
Wilkes's last Will and Testament. It was evident that this was a
 paper of the most private nature; yet the seal was not respect-
 ed, and the sacredness of such a deed could not preserve his most
 secret concerns from being divulged to the public.

‘ *and*

‘ and inferior class of people, which stand most in
‘ need of protection, which I observed was on
‘ that day the great question before the court.
‘ I was discharged from imprisonment by the
‘ unanimous sentence of my judges, without
‘ giving any bail or security. On the first day
‘ of the meeting of Parliament, I humbly sub-
‘ mitted my grievances to the *House of Com-*
‘ *mons*, as they were chosen to be the guardians
‘ of the liberties of the people against the despo-
‘ tism of ministers. I likewise voluntarily en-
‘ tered my appearance to the actions brought
‘ at law against me, as soon as I knew the
‘ determination of the *Majority*, that all the
‘ irregularities against me should be justified,
‘ and that no *privilege* should be allowed in
‘ *my case*, even as to the * mode of proceeding,
‘ which was the most harsh the rancor of party
‘ could devise.

‘ The first charge exhibited against me was
‘ for being the *author* of the *North Briton*, No.
‘ 45, and I was expelled the House of Com-
‘ mons on that charge, after a *loose* examina-
‘ tion at their bar of *witnesses without oath*. The
‘ judicial proceedings against me, as the *sup-*
‘ *posed author*, were however dropped, and I
‘ was afterwards tried in the *King’s Bench* only
‘ for the *republishing* of it. If the charge against
‘ me as *author* was just, and could be supported

* The subpoena, &c. served on Mr. Wilkes.

‘ on oath, why was I not tried at law on that
 ‘ charge? If the charge was unjust, and could
 ‘ not be supported on oath, why was I *expel-*
 ‘ *led*? If the *republishation* is a crime, it was
 ‘ publicly committed by the printers of several
 ‘ news-papers, who still remain unnoticed, al-
 ‘ though their names appear to their several
 ‘ papers. This is surely a glaring proof of the
 ‘ greatest partiality. My personal enemy, *Lord*
 ‘ *Mansfield*, chose to try both the causes against
 ‘ me, that he might, in the most dastardly
 ‘ manner, under the colour of law, avenge the
 ‘ attack made on those known political prin-
 ‘ ciples of his, so inconsistent with the glorious
 ‘ *Revolution*, on the rooted attachment of him-
 ‘ self and his nearest relations to the *Stuart* fa-
 ‘ mily, on his partiality in the seat of justice,
 ‘ &c. &c. which seem to have been favourite
 ‘ topics in the *North Briton*, and other political
 ‘ papers, of which his Lordship did me the
 ‘ honour to name me as the author. This had
 ‘ long rankled in his heart, and now the fairest
 ‘ opportunity of revenge presented itself. Hav-
 ‘ ing carefully studied the *records*, and find-
 ‘ ing that they did not insure the certainty he
 ‘ wished of my conviction, on the evening pre-
 ‘ ceding the trials, he sent for my *solicitor* TO
 ‘ HIS OWN HOUSE, and desired him to con-
 ‘ sent to the alterations his Lordship proposed
 ‘ in both the causes, that of the *North Bri-*
 ‘ *ton*, No. 45, and of the *Essay on Woman*.
 ‘ The *Chief Justice* sunk into the crafty attor-
 ‘ ney,

‘ ney, and made himself a party against the per-
‘ son accused before him as judge, when he
‘ ought to have presumed me *innocent*. My *so-*
‘ *licitor* refused, and against his consent *the re-*
‘ *cords were there materially altered* by his Lord-
‘ ship’s express orders, so that I was tried on
‘ two new charges, very different from those
‘ I had answered. This is, I believe, the most
‘ daring violation of the rights of *Englishmen*,
‘ which has been committed by any judge since
‘ the time of *Jeffries*; yet this arbitrary Scot-
‘ tish *Chief Justice*, still remains unimpeached—
‘ except in the hearts of the whole nation.
‘ Several of the *Jury* were by counter-notices,
‘ signed *Summoning Officer*, prevented from at-
‘ tending on the day appointed for the trial,
‘ while others had not only private notice given
‘ them of the *real day*, but likewise instructions
‘ for their behaviour. To crown the whole,
‘ *Lord Mansfield* in his charge *tortured both the*
‘ *law and the fact so grossly*, that the audience
‘ were shocked no less at the indecency than
‘ at the partiality of his conduct. I was dur-
‘ ing all this time very dangerously ill with my
‘ daughter at Paris, absolutely incapable of
‘ making any personal defence, and indeed to-
‘ tally ignorant of the two new questions, on
‘ which I was to be tried.

‘ The *Majority* in the House of Commons
‘ had in this interval grown so impatient for
‘ revenge, that they would not wait to see, if
‘ I should be intangled in the nice meshes of

‘ the curious *Mansfield* net, which was spread
 ‘ for me. They voted my *expulsion*, while I
 ‘ was confined to my bed at Paris, although I
 ‘ had sent to their *Speaker* the most authentic
 ‘ proof of my absolute inability to attend their
 ‘ summons, and had only desired a short delay.
 ‘ Humanity pleaded my cause in vain. The
 ‘ corrupt and cankered hearts of those men,
 ‘ which had been shut against justice, were not
 ‘ open to pity. They were steeled against
 ‘ compassion, but I am sure they will feel re-
 ‘ morse.

‘ I now proceed to the other charge brought
 ‘ against me, which respects an idle poem, called
 ‘ an *ESSAY ON WOMAN*, and a few other
 ‘ detached verses. If so much had not been
 ‘ said on this subject, I should be superior to
 ‘ entering upon any justification of myself, be-
 ‘ cause I will always maintain the right of pri-
 ‘ vate opinion in it's fullest extent, when it is
 ‘ not followed by giving any open, public of-
 ‘ fence to any establishment, or indeed to any
 ‘ individual. The crime commences from
 ‘ thence, and the magistrate has a right to in-
 ‘ terpose, and even to punish outrageous and
 ‘ indecent attacks on what any community has
 ‘ decreed to be sacred. Not only the rules
 ‘ of good breeding, but the laws of society are
 ‘ then infringed. In my own closet I had a
 ‘ right to examine, and even to try by the keen
 ‘ edge of ridicule, any opinions I pleased. I
 ‘ I have laughed pretty freely at the glaring ab-
 ‘ surdities

‘ furdities of the most monstrous *creed*, which
‘ was ever attempted to be imposed on the
‘ credulity of Christians, a creed which our
‘ great Tillotson WISHED THE CHURCH OF
‘ ENGLAND WAS FAIRLY RID OF, it was in
‘ private I laughed. I am not the first good
‘ Protestant, who has amused himself with the
‘ egregious nonsense, and silly conceits, of that
‘ strange, perplexed, and perplexing mortal,
‘ that *saint* of more admirable swallow, and
‘ more happy digestion than any of the tribe
‘ of *Athanasius*. I gave however no offence to
‘ any one individual of the community. The
‘ fact is, that after the affair of the *North Bri-*
‘ *ton*, the government bribed one of my ser-
‘ vants to *steal* a part of the *Essay on Woman*,
‘ and the other pieces, out of my house. Not
‘ quite a *fourth* part of the volume had been
‘ printed at my own private press. The work
‘ had been discontinued for several months, be-
‘ fore I had the least knowledge of the theft.
‘ Of that *fourth* part only twelve copies were
‘ worked off, and I never gave one of those
‘ copies to any friend. In this infamous man-
‘ ner did government get possession of this
‘ new subject of accusation, and, except in
‘ the case of Algernon Sydney, of this new
‘ species of crime; for a *Stuart* only could make
‘ the refinement in tyranny of ransacking and
‘ robbing the recesses of closets and studies, in
‘ order to convert *private amusements* into *state*
‘ *crimes*. After the servant had been bribed

‘ to commit the theft in his master’s house, the
 ‘ most abandoned * man of the age, who in
 ‘ this *virtuous* reign had risen to be secretary
 ‘ of state, was bribed to make a complaint to
 ‘ the House of Lords, that I had *published* an
 ‘ infamous *Poem*, which no man there had
 ‘ ever seen. It was read before that great as-
 ‘ sembly of *grave lords* and *pious prelates*, ex-
 ‘ cellent judges of wit and poetry, and was ordered
 ‘ to lie on the table, for the clerks of the House
 ‘ to copy, and to *publish* through the nation.
 ‘ The whole of this proceeding was, I own, a
 ‘ public insult on order and decency; but it
 ‘ was committed by the House of Lords, not
 ‘ by the accused member of the House of Com-
 ‘ mons. The neat, prim, smirking *chaplain* of
 ‘ that babe of grace, that *gude cheeld* of the
 ‘ prudish *kirk* of *Scotland*, the *earl of March*,
 ‘ was highly offended at my having made an
 ‘ *essay on woman*. *His nature* could not forgive
 ‘ me that † *ineffable* crime, and *his own con-*

* The earl of Sandwich, of whom *Churchill* in the *Candi-*
date says,

Vice, bold, substantial Vice, puts in her claim,
 And stamps him perfect in the books of shame.
 Observe his follies well, and you would swear
 Folly had been his first, his only care;
 Observe his vices, you’ll that oath disown,
 And swear that he was born for vice alone.—
 Search earth, search hell, the Devil cannot find
 An agent, like *Lothario*, to his mind.

† The expression of Mr. Kidgell,

duet

‘ *duet* did not afford me the shadow of an apo-
‘ logy. In great wrath he drew his grey goose
‘ quill against me. The *pious peer* caught the
‘ alarm, and they both poured forth most wo-
‘ ful lamentations, their tender hearts over-
‘ whelmed with *grief*, or as the *chaplain*, who
‘ held the pen, said, with *grief of griefs*. He
‘ proceeded to make very unfair extracts, and
‘ afterwards to *be-note* them in the foulest man-
‘ ner. The most vile blasphemies were forged,
‘ and published as part of a work, which in
‘ reality contained nothing but fair ridicule on
‘ some doctrines I could not believe, mock
‘ panegyrick, flowing from mere envy, which
‘ sickened at the *superior parts and abilities*, as
‘ well as *wondrous deeds* of a man I could not
‘ love, a few portraits drawn from warm life,
‘ with the too high colouring of a youthful
‘ fancy, and two or three descriptions, per-
‘ haps too luscious, which though *nature and*
‘ *woman* might pardon, a Kidgell and a Mans-
‘ field could not fail to condemn.

‘ I have now, Gentlemen, gone through all
‘ the objections, which have been made to my
‘ conduct in a *public* capacity. My enemies
‘ finding that I was invulnerable, where they
‘ pointed their most envenomed darts, after-
‘ wards attempted to assassinate my private cha-
‘ racter, and propagated an infinite variety of
‘ groundless calumnies against me. I have ge-
‘ nerally treated these with the contempt they
‘ deserved, from the certainty that all who knew
‘ me,

‘ me, would know that I was incapable of the
 ‘ things laid to my charge. A few falsehoods
 ‘ advanced with more boldness than the rest,
 ‘ I was at the pains to refute. The Win-
 ‘ chester * story in particular, because it re-
 ‘ spected lord Bute’s own son, and had been
 ‘ ushered to the public with the greatest pa-
 ‘ rade, as well as with all the impudence of
 ‘ malice, and rage of party, I disproved so fully,
 ‘ that I am sure not the least shadow of a doubt
 ‘ remained in any man’s mind as to my entire
 ‘ innocence of that most illiberal charge. I
 ‘ have lived so long among you, Gentlemen,
 ‘ that I will rest every thing respecting me as a
 ‘ private man on the testimony, which the ex-
 ‘ perience of so many years authorizes you to
 ‘ give, well knowing that true candour always
 ‘ weighs in the same balance faults and virtues.
 ‘ The *shades* in private life are darkened by an
 ‘ enemy, but scarcely seen by a friend. Be-
 ‘ sides it is not given to every man to be as
 ‘ pious as lord Sandwich, or as *chaste*, yet as
 ‘ potent, in and out of the marriage-bed, in
 ‘ all thought, word, and deed, as the *Bishop*
 ‘ of Gloucester.

‘ A few other particulars, Gentlemen, de-
 ‘ serve to be mentioned, that you may have
 ‘ before you the whole of my conduct in these
 ‘ interesting affairs. Immediately after the late

* Vide the North Briton, No. XXI.

‘ flagrant breach of the laws, I thought it my
‘ duty to the community to commence actions
‘ against all the persons guilty. I despised the
‘ meanness of attacking only agents and depu-
‘ ties. I endeavoured to bring to the jurisdic-
‘ tion of the law, the *principals*, the first and
‘ great offenders, the *two secretaries of state*.
‘ I blush for my country, when I add, that al-
‘ though I have employed the ablest gentlemen
‘ of the profession, they have hitherto found it
‘ impossible even to force an appearance. Lord
‘ Egremont died, braving the justice of his
‘ country. Lord Halifax lives, perhaps to tri-
‘ umph over it, and to give the example to fu-
‘ ture secretaries of committing the grossest vio-
‘ lation of the rights of the Commons with
‘ impunity. The judicial proceedings at my
‘ suit commenced in the beginning of May
‘ twelvemonth, and now at the end of October
‘ in the present year, his lordship has not en-
‘ tered any appearance, seeking shelter all the
‘ winter under *privilege*, all the summer under
‘ the *c'icane of law*. The *little offenders* indeed
‘ have not escaped. Several *honest juries* have
‘ marked them with ignominy, and their guilt
‘ has been followed with legal punishment.
‘ But what is of infinitely greater importance
‘ to the nation, we have heard from the Bench,
‘ that GENERAL WARRANTS * *are absolutely il-*
‘ *legal.*

* The right honourable lord Camden gave his final opinion upon granting general warrants by secretaries of state. After enlarging

‘ *legal.* Such a declaration is become in the
 ‘ highest degree interesting to the subject, be-
 ‘ cause the *Majority* in this *courtly House of Com-*
 ‘ *mons refused* the very last winter to come to
 ‘ any resolution in favour of the rights of their
 ‘ fellow-subjects. We owe it likewise to the
 ‘ most upright, independent, and intrepid *Chief*
 ‘ *Justice* of the *Court of Common Pleas*, that in
 ‘ the action against the under secretary of state,
 ‘ Mr. Wood, *the seizure of papers*, except in
 ‘ cases of High Treason, has been declared *il-*
 ‘ *legal.*

‘ When I reflect on these two most impor-
 ‘ tant determinations in favour of *liberty*, the
 ‘ best cause, and the noblest stake, for which
 ‘ men can contend, I congratulate my free-born
 ‘ countrymen, and am full of gratitude that
 ‘ heaven inspired me with a firmness and for-
 ‘ titude equal to the conduct of so arduous a
 ‘ business. Under all the wanton cruelties of
 ‘ usurped and abused power, the goodness of
 ‘ the cause supported me, and I never lost sight
 ‘ of the great object, which I had from the first
 ‘ in my view, the preservation of the rights and
 ‘ privileges of every *Englishman*. I glory in
 ‘ the name, and will never forget the duties

enlarging upon, and explaining a number of cases, his lordship
 declared such warrants (excepting in cases of high treason) to
 be illegal, oppressive, and unwarrantable: by this noble deter-
 mination, Englishmen's houses may now again be considered as
 their castles, and not so liable to be exposed to the wanton
 sport of arbitrary and despotic power.

resulting

‘ resulting from it. Though I am driven into
‘ exile from my dear country, I shall never
‘ cease to love and reverence it’s constitution,
‘ while it remains free. It will continue my
‘ first ambition to approve myself a faithful son
‘ of England, and I shall always be ready to
‘ give my life a willing sacrifice to my native
‘ country, and to what it holds most dear, the
‘ security of our most invaluable liberties.
‘ While I live, I shall enjoy the satisfaction of
‘ thinking that I have not lived in vain, that
‘ the present age has borne the noblest testi-
‘ mony to me, and that my name will pass with
‘ honour to posterity, for the upright and dis-
‘ interested part I have acted, and for my un-
‘ wearied endeavours *to protect and secure the*
‘ *persons, houses, and papers, of my fellow-sub-*
‘ *jects from arbitrary visits and seizures.*

‘ I am, GENTLEMEN,

‘ With much regard and affection,

‘ Your most obliged,

‘ And obedient humble servant,

‘ JOHN WILKES.’

Nothing of consequence transpires till November 1766, when we find Mr. Wilkes suing for a pardon from his Majesty, through the intercession of the duke of Grafton, in the following letter.

A letter

*A letter to his Grace the duke of Grafton, First
Commissioner of his Majesty's Treasury.*

‘ London, Nov. 1, 1766.

‘ MY LORD,

‘ It is a very peculiar satisfaction I feel on
‘ my return to my native country, that a noble-
‘ man of your grace’s superior talents, and in-
‘ flexible integrity, is at the head of the most
‘ important department of the state. I have
‘ been witness of the general applause, which
‘ has been given abroad to the choice his Ma-
‘ jesty has made ; and I am happy to find my
‘ own countrymen zealous and unanimous in
‘ every testimony of their approbation.

‘ I hope, my lord, that I may congratulate
‘ myself, as well as my country, on your grace’s
‘ being placed in a station of so great power
‘ and importance. Though I have been cut
‘ off from the body of his Majesty’s subjects,
‘ by a cruel and unjust proscription, I have
‘ never entertained an idea inconsistent with
‘ the duty of a good subject. My heart still re-
‘ tains all its former warmth for the dignity of
‘ England, and the glory of it’s Sovereign. I
‘ have not associated with the traitors to our
‘ liberties, nor made a single connection with
‘ any man who was dangerous, or even sus-
‘ pected by the friends of the protestant family
‘ on the throne. I now hope that the rigour
‘ of a long, unmerited exile is past, and that I
‘ may

‘ may be allowed to continue in the land, and
‘ among the friends, of liberty.

‘ I wish, my lord, to owe this to the mercy
‘ of my Prince. I entreat your grace to lay
‘ me with all humility at the King’s feet, with
‘ the truest assurances that I have never, in any
‘ moment of my life, swerved from the duty
‘ and allegiance I owe to my Sovereign, and
‘ that I implore, and in every thing submit to,
‘ his Majesty’s clemency.

‘ Your grace’s noble manner of thinking,
‘ and the * obligations I have formerly received,
‘ which are still fresh in my mind, will, I hope,
‘ give a full propriety to this address, and I
‘ am sure, a heart glowing with the sacred zeal
‘ of liberty, must have a favourable reception
‘ from the Duke of Grafton. I flatter my-
‘ self that my conduct will justify your grace’s
‘ interceding with a Prince, who is distinguished
‘ by a compassionate tenderness and goodness
‘ to all his subjects.

‘ I am, with the truest respect,

‘ My Lord, your Grace’s most obedient

‘ And most humble servant,

‘ JOHN WILKES.’

* Cicero, speaking of Pompey, says, *Nos, ut ostendit, admodum diligit, amplectitur, amat, aperte laudat: sed—nihil come, nihil simplex, nihil εν τοις πολιτικοις honestum, nihil illustre, nihil forte, nihil liberum.*

A second letter to the duke of Grafton.

Vacare culpâ magnum est solatium; præsertim cum habeam duas res quibus me sustentem, optimarum artium scientiam, et maximarum rerum gloriam, quarum altera mihi vivo nunquam eripietur, altera ne mortuo quidem. CICERO.

‘ Paris, Dec. 12, 1766.

‘ MY LORD,

‘ I am not yet recovered from the astonish-
 ‘ ment into which I was thrown by your grace’s
 ‘ *verbal* message, in answer to my letter of the
 ‘ first of November. In a conversation I had
 ‘ with colonel Fitzroy at the Hôtel d’Espagne,
 ‘ he did me the honour of assuring me, that
 ‘ I should find his brother my real and sincere
 ‘ friend, extremely desirous to concur in doing
 ‘ me justice, that he was to tell me this from
 ‘ your grace, but that many interesting parti-
 ‘ culars relative to me could not be communi-
 ‘ cated by letter, nor by the post. I fondly be-
 ‘ lieved these obliging assurances, because on
 ‘ a variety of occasions your grace had testified
 ‘ a full approbation of my conduct, had thanked
 ‘ me in the most flattering terms, as the per-
 ‘ son the most useful to the common cause in
 ‘ which we were embarked *, and had shewn

* Mr. Wilkes might very well exclaim in the words of TULLY, *Non est credibile, quæ sit perfidia in istis principibus, ut volunt esse, et ut essent, si quicquam haberent fidei; senseram, noram, indutus, relictus, projectus ab iis: tamen hoc erat in animo, ut cum iis in Republicâ consentirem.*

‘ an uncommon zeal to serve a man who had
‘ suffered so much in the cause of liberty.

‘ I returned to England with the gayest,
‘ and the most lively hopes. As soon as I
‘ arrived at London, I desired my excellent
‘ friend, Mr. Fitzherbert, to wait on your
‘ grace with every profession of regard on my
‘ part, and the resolution I had taken of en-
‘ tirely submitting the mode of the application
‘ I should make to the throne for my pardon.
‘ I cannot express the anxiety, which your
‘ grace’s answer gave me, “Mr. Wilkes must
“ write to Lord Chatham.” I then begged
‘ Mr. Fitzherbert to state the reasons, which
‘ made it impossible for me to follow that ad-
‘ vice, from every principle of honour, both
‘ public and private. I shewed too the impro-
‘ priety of supplicating a fellow-subject for
‘ mercy, the *prerogative* good Kings are the
‘ most jealous of, by far the brightest jewel in
‘ their crown, and the attribute by which they
‘ may the nearest approach to the Divinity.

‘ I afterwards wrote the letter to your
‘ grace, which I have seen in all the public
‘ prints. I never received any other answer
‘ than a *verbal* message, “Mr. Wilkes must
“ write to Lord Chatham. I do nothing
“ without Lord Chatham.” When I found
‘ that my pardon was to be bought with the
‘ sacrifice of my honour, I had the virtue not
‘ to hesitate. I spurned at the proposal, and
‘ left my dear native London, with a heart full

‘ of grief that my fairest hopes were blasted,
 ‘ of humiliation that I had given an easy faith
 ‘ to the promises of a minister and a courtier,
 ‘ and of astonishment that a nobleman of parts
 ‘ and discernment could continue in an infatuation,
 ‘ from which the conduct of lord Chatham
 ‘ had recovered every other man in the nation.
 ‘ He was indeed long the favourite character
 ‘ of our countrymen. Every tongue was wanton
 ‘ in his praise. The whole people lavished on
 ‘ him their choicest favours, and endeavoured
 ‘ by the noblest means, by an unbounded
 ‘ generosity and confidence, to have kept him
 ‘ virtuous. With what anguish were we at last
 ‘ undeceived? How much it cost us to give up
 ‘ a man, who had so long entirely kept possession
 ‘ of our hearts? How cruel was the struggle?
 ‘ But alas! how is he changed? how fallen?
 ‘ from what height fallen? His glorious sun
 ‘ is set, I believe never to rise again.

‘ We long hoped, my lord, that public virtue
 ‘ was the *guide* of his actions, and the love
 ‘ of our country his ruling passion, but he
 ‘ has fully shewn, *omnis vis, virtusque in*
 ‘ *linguâ sita est* *. Our hearts glowed with
 ‘ gratitude for the important services he had
 ‘ done against the common enemy, and the
 ‘ voice of the nation hailed him our deliverer;

* Ad C. Cæsarem de Republica Ordinanda Epistola prima.

but private ambition was all the while skulking behind the shield of the patriot, and at length in an evil hour made him quit the scene of all his glory, the only place in which he could be truly useful, for a retreat, where he knew it was impossible the confidence of the people could follow, but where he might in inglorious ease bear his BLUSHING honours thick upon him.

I might now, my lord, expostulate with your grace on a *verbal* message, and of such a nature, in answer to a letter couched in the most decent and respectful terms, coming too from a late member of the legislature. I might regret, that the largest proffers of friendship and real service could mean no more than two or three words of cold advice, that I should apply to another. I might be tempted to think it a duty of office in the first lord of the Treasury, to have submitted to his Majesty a petition relative to the exercise of the noblest act of regal power, which any constitution can give any sovereign. Surely, my lord, my application to the first commissioner of the treasury, who is always considered as the first minister, in England, was the very proper application. As I had made no discovery of any new wonderful pill or drop, nor pretended to the secret of curing the gout or the tooth-ach, I never thought of soliciting lord Chatham *for a privy seal*. His lordship's office was neither important, nor responsible.

‘ I will not however enlarge on this, but I shall
 ‘ desire your grace’s permission fully to state
 ‘ what has happened to me as a private gentle-
 ‘ man, relative to lord Chatham, because I
 ‘ would not leave a doubt concerning the pro-
 ‘ priety of my conduct in a mind naturally so
 ‘ candid, and so capable of judging truly, as
 ‘ that of the *Duke of Grafton*.

‘ I believe that the flinty heart of lord Cha-
 ‘ tham has known the sweets of private friend-
 ‘ ship, and the fine feelings of humanity, as
 ‘ little as even lord Mansfield. They are both
 ‘ formed to be admired, not beloved. A proud,
 ‘ insolent, overbearing, ambitious man is al-
 ‘ ways full of the ideas of his own importance,
 ‘ and vainly imagines himself superior to the
 ‘ equality necessary among real friends in all the
 ‘ moments of true enjoyment. Friendship is
 ‘ too pure a pleasure for a mind cankered with
 ‘ ambition, or the lust of power and grandeur.
 ‘ Lord Chatham declared in Parliament the
 ‘ strongest attachment to lord Temple, one of
 ‘ the greatest characters our country could ever
 ‘ boast, and said, *he would live and die with his*
 ‘ *noble brother*. He has received obligations of
 ‘ the first magnitude from that *noble brother*,
 ‘ yet what trace of gratitude, or of friendship
 ‘ was ever found in any part of his conduct?
 ‘ and has he not now declared the most open
 ‘ variance, and even hostility? I have had as
 ‘ warm and express declarations of regard as
 ‘ could be made by this marble-hearted friend,
 ‘ and

‘ and Mr. Pitt had no doubt his views in even
 ‘ feeding me with * flattery from time to time,
 ‘ on occasions too where candour and indul-
 ‘ gence were all I could claim. He may re-
 ‘ member the compliments he paid me on two
 ‘ certain poems in the year 1754. If I were
 ‘ to take the declarations made by himself and
 ‘ the late Mr. † Potter *à la lettre*, they were
 ‘ more charmed with those verses after the
 ‘ ninety-ninth reading than after the first; so
 ‘ that from this circumstance, as well as some
 ‘ of his speeches in Parliament, it seems to be
 ‘ likewise true of the first orator, or rather the
 ‘ first comedian, of our age, *non displicuisse illi*
 ‘ *jocos, sed non contigisse ‡.*

‘ I will now submit to your grace, if there
 ‘ was not something peculiarly base and per-
 ‘ fidious in Mr. Pitt’s calling me a *blasphemer*
 ‘ *of my God* for those very verses, at a time when
 ‘ I was absent, and dangerously ill from an
 ‘ affair of honour. The charge too he knew
 ‘ was || false, for the whole ridicule of those
 ‘ two pieces was confined to certain mysteries,

* Vide Mr. Pitt’s Letters in the second volume.

† Vide Mr. Potter’s Letters in the second volume.

‡ Quintilian uses this expression, speaking of Demosthenes.

|| The verdict of the jury fully justified Mr. Wilkes from this scandalous charge of *blasphemy* made by Mr. Pitt in the House of Commons. Vide likewise the *Votes, Martis, 31^o die Januarii, 1769*, printed in the 103d No. of the North Briton, April 25, 1769.

‘ which formerly the *unplaced and unpensioned*
 ‘ Mr. Pitt did not think himself obliged even
 ‘ to affect to believe. He added another charge
 ‘ equally unjust, that I was the *libeller of my*
 ‘ *King*, although he was sensible that I never
 ‘ wrote a single line disrespectful to the sacred
 ‘ person of my Sovereign, but had only at-
 ‘ tacked the despotism of his ministers, with the
 ‘ spirit becoming a good subject and zealous
 ‘ friend of his country. The reason of this
 ‘ perfidy was plain. He was then beginning
 ‘ to pay homage to the Scottish idol, and I was
 ‘ the most acceptable sacrifice he could offer
 ‘ at the shrine of BUTE. History scarcely gives
 ‘ so remarkable a change. He was a few years
 ‘ ago the mad, seditious Tribune of the People,
 ‘ insulting his Sovereign even in his capital
 ‘ city, now he is the abject, crouching deputy
 ‘ of the proud Scot, who, as he declared in
 ‘ Parliament, *wants wisdom, and holds principles*
 ‘ *incompatible with freedom*; a most ridiculous
 ‘ character surely for a statesman, and the sub-
 ‘ ject of a free kingdom, but the very proper
 ‘ composition for a *favourite*. Was it possible
 ‘ for me after this to write a suppliant letter to
 ‘ lord Chatham? I am the first to pronounce
 ‘ myself most unworthy of a pardon, if I could
 ‘ have obtained it on those terms.

‘ Although I declare, my lord, that the con-
 ‘ scious pride of virtue makes me look down
 ‘ with contempt on a man, who could be guilty
 ‘ of this baseness, who could in the lobby
 ‘ declare

* declare that I must be supported, and in
 the House on the same day desert and revile
 me, yet I will on every occasion do justice
 to the minister. He has served the public in
 all those points, where the good of the na-
 tion coincided with his own private views ;
 and in no other. I venerate the memory of
 the Secretary, and I think it an honour to
 myself that I steadily supported in Parlia-
 ment an administration the most successful
 we ever had, and which carried the glory of
 the nation to the highest pitch in every part
 of the world. He found his country almost
 in despair. He raised the noble spirit of Eng-
 land, and strained every nerve against our
 enemies. His plans, when in power, were
 always great, although in direct opposition
 to the declarations of his whole life, when
 out of power. The invincible bravery of the
 British troops gave success even to the most
 rash, the most extravagant, the most despe-
 rate of his projects. He saw early the hostile
 intentions of Spain, and if the celebrated
written advice, which he gave, had been fol-
 lowed, a very few weeks had then probably
 closed the last general war ; although the me-
 rit of that *advice* was more the merit of his

* This declaration was made to George Onslow, esq; son
 of the late Speaker, and to other gentlemen. A curious letter
 of Mr. Onslow, dated *Ember-Court, Sept. 21, 1765*, is in the
North Briton of the 15th of July, 1769.

‘ noble brother, than his own. After the om-
 ‘ nipotence of lord Bute in 1761 had forced
 ‘ Mr. Pitt to retire from his Majesty’s coun-
 ‘ cils, and the cause was declared by himself
 ‘ to be our conduct relative to Spain, I had
 ‘ the happiness of setting that affair in so clear
 ‘ and advantageous a light, that he expressed
 ‘ the most entire satisfaction, and particular
 ‘ obligations to my friendship. I do not how-
 ‘ ever make this a claim of merit to Mr. Pitt.
 ‘ It was my duty, from the peculiar advantages
 ‘ of information I then had.

‘ The constitution of our country has no
 ‘ obligations to him. He has left it with all
 ‘ it’s beauties, and all it’s blemishes. He ne-
 ‘ ver once appeared in earnest about any ques-
 ‘ tion of liberty. He was the cause that in
 ‘ 1764 no point was gained for the public in
 ‘ the two great questions of *General Warrants*,
 ‘ and the *Seizure of Papers*. The cursed re-
 ‘ mains of the court of Star Chamber, the
 ‘ enormous power of the attorney-general, the
 ‘ sole great judicial officer of the crown, who
 ‘ is *durante bene placito*, and not upon oath,
 ‘ who tramples on *Grand Juries*, and breaks
 ‘ down the first, the foremost barriers of liber-
 ‘ ty, continued during his administration the
 ‘ same as before. Every grievance, which was
 ‘ not rooted out by the glorious Revolution,
 ‘ and the later struggles of our patriots, still
 ‘ subsists in full force, notwithstanding the ab-
 ‘ solute power he exercised for several years over
 ‘ every

‘ every department of the state——But I have
 ‘ done with lord Chatham. I leave him to
 ‘ the poor consolation of a place, a pension,
 ‘ and a peerage, for which he has sold the con-
 ‘ fidence of a great nation. Pity shall find,
 ‘ and weep over him.

‘ I am now, my lord, once more driven
 ‘ from the Romans to the gay, the polite
 ‘ * Athenians, but I shall endeavour to con-
 ‘ vince your grace that I am not totally lost to
 ‘ my country, nor to myself, in this scene of
 ‘ elegant dissipation, and that I do not waste
 ‘ the time in unavailing complaints of my hard
 ‘ fate, and the ingratitude of those, whom I
 ‘ have served with success ; for I shall very soon
 ‘ beg to call the public attention to some points
 ‘ of national importance, and in the mean time
 ‘ I shall embrace this opportunity of doing my-
 ‘ self justice against the calumnies, which a rest-
 ‘ less faction does not cease to propagate.

‘ The affair of the *General Warrant*, and the
 ‘ *Habeas Corpus*, is told very unfaithfully, and

* It is remarkable that *France* has generally been chosen as the *asylum* of persecuted merit or genius. One of their best authors says, *De tout tems, les Rois malheureux, et les hommes illustres, ont choisi leur asile en France, parce que de tout tems le François a eu la réputation d'être un peuple doux, humain et compatissant.* Sydney retired to France, and during the greatest part of his exile chose to live there, even under Lewis the Fourteenth, who had entirely destroyed the small remains of liberty in that kingdom ; but at last, duped by the insidious promises of the English court, he returned to his native country, and died on a scaffold.

‘ almost

‘ almost every particular relative to my being
‘ made a prisoner, and sent to the Tower on
‘ the 30th of April 1763, has been injuriously
‘ misrepresented in several late publications. I
‘ shall therefore state the transactions of that
‘ memorable day, and I appeal to the minutes
‘ taken at the time for the accuracy of this re-
‘ lation.

‘ On my return from the city early that
‘ morning, I met at the end of Great George-
‘ street one of the King’s messengers. He told
‘ me that he had a *warrant* to apprehend me,
‘ which he must execute immediately, and I
‘ must attend him to lord Halifax’s. I desired
‘ to see the *warrant*. He said it was *against*
‘ *the authors, printers, and publishers of the North*
‘ *Briton, No. 45,* and that his verbal orders
‘ were *to arrest Mr. Wilkes*. I told him the
‘ *warrant* did not respect me. I advised him
‘ to be very civil, and to use no violence in the
‘ street, for if he attempted force, I would put
‘ him to death in the instant, but if he would
‘ come quietly to my house, I would convince
‘ him of the illegality of the *warrant*, and the
‘ injustice of the orders he had received. He
‘ chose to accompany me home, and then pro-
‘ duced the *General Warrant*. I declared that
‘ such a *warrant* was absolutely illegal and void
‘ in itself, that it was a ridiculous *warrant* against
‘ the whole English nation, and I asked why
‘ he should serve it on me rather than on the
‘ Lord Chancellor, either of the secretaries of
‘ state,

state, lord Bute, or lord Corke, my next door neighbour. The answer was, *I am to arrest Mr. Wilkes.* About an hour afterwards two other messengers arrived, and several of their assistants. They all endeavoured in vain to persuade me to accompany them to lord Halifax's. I had likewise many civil messages from his lordship to desire my attendance. My only answer was, that I had not the honour of visiting his lordship, and this first application was rather rude and ungentleman-like.

While some of the messengers and their assistants were with me, Mr. Churchill came into the room. I had heard that their verbal orders were likewise to apprehend him, but I suspected they did not know his person, and by presence of mind I had the happiness of saving my friend. As soon as Mr. Churchill entered the room, I accosted him, "Good morrow, Mr. Thomson. How does Mrs. Thomson do to-day? Does she dine in the country?" Mr. Churchill thanked me, said she then waited for him, that he only came for a moment to ask me how I did, and almost directly took his leave. He went home immediately, secured all his papers, and retired into the country. The messengers could never get intelligence where he was. The following week he came to town, and was present both the days of hearing at the court of Common Pleas.

The

‘ The whole morning passed in messages be-
 ‘ tween lord Halifax and me. The business
 ‘ of the messengers being soon publicly known,
 ‘ several of my friends came to me on so ex-
 ‘ traordinary an event. I desired two or three
 ‘ of them to go to the court of *Common Pleas*,
 ‘ to make affidavit of my being a prisoner in
 ‘ my own house under an illegal *warrant*, and
 ‘ to demand the *Habeas Corpus*. The Chief
 ‘ Justice gave orders that it should issue imme-
 ‘ diately.

‘ A constable came afterwards with several
 ‘ assistants of the messengers. I repeatedly
 ‘ insisted on their all leaving me, and declared
 ‘ I would not suffer any one of them to con-
 ‘ tinue in the room against my consent, for I
 ‘ knew and would support the rights of an
 ‘ Englishman in the sanctuary of his own house.
 ‘ I was then threatened with immediate vio-
 ‘ lence, and a regiment of the guards, if neces-
 ‘ sary. I soon found all resistance would be vain.
 ‘ The constable demanded my sword, and in-
 ‘ sisted on my immediately attending the mes-
 ‘ sengers to lord Halifax’s. I replied, that if
 ‘ they were not assassins, they should first give
 ‘ me their names in writing. They complied
 ‘ with this, and thirteen set their hands to the
 ‘ paper. I then got into my own chair, and
 ‘ proceeded to lord Halifax’s, guarded by the
 ‘ messengers and their assistants.

‘ I was conducted into a great apartment
 ‘ fronting the Park, where lord Halifax and
 ‘ lord

‘ lord Egremont, the two secretaries of state,
‘ were sitting at a table covered with paper,
‘ pens, and ink. The under secretaries stood
‘ near their lordships. Mr. Lovel Stanhope,
‘ the law-clerk, and Mr. Philip Carteret Webb,
‘ the solicitor of the treasury, were the only per-
‘ sons besides who attended. Lord Egremont
‘ received me with a supercilious, insolent air ;
‘ lord Halifax with great politeness. I was
‘ desired to take the chair near their lordships,
‘ which I did. Lord Halifax then began, “that
“ he was really concerned that he had been ne-
“ cessitated to proceed in that manner against
“ me, that it was exceedingly to be regreted,
“ that a gentleman of my rank and abilities
“ could engage against the King, and his Ma-
“ jesty’s government.” I replied, “ that his
“ lordship could not be more mistaken, for the
“ King had not a subject more zealously at-
“ tached to his person and government than
“ myself, that I had all my life been a warm
“ friend of the House of Brunswick and the
“ Protestant succession, that while I made the
“ truest professions of duty to the King, I was
“ equally free to declare in the same moment,
“ that I believed no Prince had ever the mis-
“ fortune of being served by such ignorant,
“ insolent, and despotic ministers, of which my
“ being there was a fresh, glaring proof, for I
“ was brought before their lordships by force
“ under a *General Warrant*, which named no
“ body, in violation of the laws of my coun-
“ try,

“ try, and of the privileges of Parliament, that
 “ I begged both their lordships to remember
 “ my present declaration, that on the very first
 “ day of the ensuing session of Parliament, I
 “ would stand up in my place and impeach
 “ them, for the outrage they had committed
 “ in my person against the liberties of the
 “ people.” Lord Halifax answered, “ that
 “ nothing had been done, but by the advice
 “ of the best lawyers, and that it was now
 “ his duty to examine me.” He had in his
 ‘ hand a long list of questions, regularly num-
 ‘ bered. He began, “ Mr. Wilkes, do you
 “ know * Mr. Kearfly ? When did you see
 “ him ? &c. &c.” I replied, “ that I sus-
 “ pected there was a vain hope my answer
 “ would tend rather to what his lordship wished
 “ to know, that he seemed to be lost in a dark
 “ and intricate path, and really wanted much
 “ light to guide him through it, but that I
 “ could assure his lordship not a single ray
 “ should come from me.” Lord Halifax re-
 “ turned to the charge, “ Mr. Wilkes, do
 “ you know Mr. Kearfly ? &c. &c.” I said,
 “ That this was a curiosity on his lordship’s
 “ part, which however laudable in the secre-
 “ tary, I did not find myself disposed to gra-
 “ tify, and that at the end of my examination
 “ all the quires of paper on their lordships’

* The publisher of the North Briton, No. 45.

“ table should be as milk white as at the be-
“ ginning.” Lord Halifax then “ desired to
“ remind me of my being their prisoner, and
“ of their right to examine me.” I answered,
“ that I should imagine their lordships’ time
“ was too precious to be trifled away in that
“ manner, that they might have seen before
“ I would never say one word they desired to
“ know ;” and I added, “ Indeed, my lords,
“ I am not made of such slight, flimsy stuff ;”
“ then turning to lord Egremont, I said, “ Could
“ you employ tortures, I would never utter a
“ word unbecoming my honour, or affecting
“ the sacred confidence of any friend. God
“ has given me firmness and fidelity. You
“ trifle away your time most egregiously, my
“ lords.” Lord Halifax then “ advised me
“ to weigh well the consequences of my con-
“ duct, and the advantages to myself of a ge-
“ nerous, frank confession.” I lamented “ the
“ prostitution of the word, *generous*, to what
“ I should consider as an act of the utmost
“ treachery, cowardice, and wickedness.” His
“ lordship then asked me, “ If I chose to be a
“ prisoner in my own house, at the Tower,
“ or in Newgate, for he was disposed to ob-
“ lige me.” I gave his lordship my thanks,
“ but “ I desired to remark, that I never re-
“ ceived an obligation, but from a friend, that
“ I demanded justice, and my immediate liber-
“ ty, as an Englishman, who had not offended
“ the laws of his country ; that as to the rest,
“ it

“ it was beneath my attention, the odious idea
 “ of restraint was the same odious idea every
 “ where ; that I would go where I pleased, and
 “ if I was restrained by a superior force, I must
 “ yield to the violence, but would never give
 “ colour to it by a shameful compromise ; that
 “ every thing was indifferent to me in compa-
 “ rison of my honour and my liberty : that I
 “ made my appeal to the laws, and had already
 “ by my friends applied to the *Court of Common*
 “ *Pleas* for the *Habeas Corpus*, which the Chief
 “ Justice had actually ordered to be issued, and
 “ that I hoped to owe my discharge solely to
 “ my innocence, and to the vigour of the law
 “ in a free country.” Lord Halifax then told
 “ me, “ that I should be sent to the * Tower,
 “ where I should be treated in a manner suit-
 “ able to my rank, and that he hoped the Mes-
 “ sengers had behaved well to me.” I ac-
 “ knowledged “ that they had behaved with
 “ humanity, and even civility to me, notwith-
 “ standing the ruffian orders given them by his
 “ lordship’s colleague.” I then again turned
 “ to lord Egremont, and said, “ Your lord-
 “ ship’s verbal orders were to drag me out of
 “ my bed at midnight. The first man, who
 “ had entered my bed-chamber by force, I should

* Nor stony tower, nor walls of beaten brass,
 Nor airless dungeon, nor strong links of iron,
 Can be retentive to the strength of spirit.

SHAKESPEARE.

“ have

“ have laid dead on the spot. Probably I
“ should have fallen in the skirmish with the
“ others. I thank God, not your lordship,
“ that such a scene of blood has been avoided.
“ Your lordship is very ready to issue orders,
“ which you have neither the courage to sign,
“ nor I believe to justify.” No reply was
“ made to this. The conversation dropped.
“ Lord Halifax retired into another apartment.
“ Lord Egremont continued sullen and silent
“ about a quarter of an hour. I then made a
“ few remarks on some capital pictures, which
“ were in the room, and his lordship left me
“ alone.

“ I was afterwards conducted into another
“ apartment. I found there several of my friends,
“ in argument with the most infamous of all
“ the tools of that administration, Mr. Philip
“ Carteret Webb. He confirmed to me, that I
“ was to be carried to the Tower, and “ wished
“ to know if I had any favours to ask.” I re-
“ plied, “ that I was used to confer, not to
“ receive, favours, that I was superior to the
“ receiving any, even from his masters, that
“ all I would say to him was, if my valet de
“ chambre was allowed to attend me in the
“ Tower, I should be shaved and have a clean
“ shirt; if he was not, I should have a long
“ beard, and dirty linen.” Mr. Webb said,
“ that orders would be given for his admission
“ at the Tower.” I complained of the shame-
“ ful evasion of the *Habeas Corpus*, in sending
Append. VOL. I. K me

‘ me to the Tower, though the orders of the
 ‘ Chief justice Pratt were known. Mr. Webb
 ‘ made no reply to this. He came to visit me
 ‘ at the Tower in the beginning of my im-
 ‘ prisonment, when I had not the permission
 ‘ to see any friend. I desired him almost at
 ‘ his first entrance to take his leave; “for if
 “ I was not allowed to see those I loved, I
 “ would not see those I despised.”

‘ While I continued in the Tower, I was
 ‘ pressed to offer bail in order to regain my li-
 ‘ berty, and two of the first nobility desired to
 ‘ be my securities in the sum of 100,000l.
 ‘ each. I was exceedingly grateful for the
 ‘ offer, but would not accept it. I observed,
 ‘ that neither my health, nor my spirits, were
 ‘ affected, that I would by great temperance
 ‘ and abstinence endeavour to compensate the
 ‘ want of air and exercise, but if my health
 ‘ suffered in a dangerous way, I would then
 ‘ accept such generous offers, for I hoped to
 ‘ live that so noble a cause might be brought
 ‘ to a glorious issue for the liberties of my coun-
 ‘ try. From the beginning of this arduous
 ‘ business, I would not on any occasion give
 ‘ bail, by which I never involved any friend,
 ‘ and remained the perfect master of my own
 ‘ conduct.

‘ I shall now, my lord, proceed to do my-
 ‘ self justice against a calumny of Sir John
 ‘ Cust, a person of the meanest natural parts,
 ‘ and infinitely beneath all regard, except from
 ‘ the

the office he bears, with the utmost discredit to himself, with equal disgrace and insufficiency to the public. I find in the twenty-ninth volume of the Journals of the House of Commons, just published, page 721. “*Jo-*
“*vis 19^o die Januarii, 1764, Mr. Speaker ac-*
“*quainted the House, that he, upon Tuesday*
“*last, received a letter by the general post*
“*from Mr. Wilkes, dated Paris the 11th in-*
“*stant, inclosing a paper in the French lan-*
“*guage, purporting to be a certificate of one*
“*of the French King’s physicians, and of a sur-*
“*geon of the said King’s army, relating to the*
“*state of Mr. Wilkes’s health, subscribed with*
“*two names, but not authenticated before a*
“*notary public, nor the signature thereof veri-*
“*fied in any manner whatsoever.*” Then fol-
low the *letter* and *certificate*. The insinuation is too plain to be overlooked, too false to be forgiven. The signature was verified by my letter. It is certain that the certificate was in all the *usual* forms, yet though the affair was determined with respect to me, and I was indecently expelled the *House of Commons* on the same day, without any time being allowed for other proof, a regard to truth, and my own honour, made me give the most compleat answer to this wretched subterfuge of the abandoned *Majority*. I sent a second certificate in the *unusual* form they had prescribed themselves, attested by two notaries, and confirmed by the English ambassador. I wrote

likewise again to the Speaker on the 5th of
 February following, but neither the second
 letter, certificate, or attestation, is to be found
 in the Journals, as they ought in justice to
 my character. I have, however, my lord,
 taken care that they should be published, for
 in a free government like our's, I will en-
 deavour through my life to emulate the spirit
 of antient Rome, *provoco ad populum*; and
 while the people do not condemn me, I may
 perhaps in this, I shall most certainly in every
 succeeding age, rise superior to any party ca-
 bal, or court faction. This step covered my
 enemies with confusion, but was of no far-
 ther service to me. The party war against me
 ceased of course in the *House of Commons*, but
 flamed with equal fury in *Westminster Hall*,
 and was attended with every circumstance of
 revenge and cruelty, which the ingenious wit
 of a Mansfield could devise to gratify the ma-
 lice of a bad heart.

In the same volume of the Journals, page
 723, I find that I am voted *guilty of WRIT-
 ING and PUBLISHING the paper intituled, "The
 North Briton, No. 45,"* and that several
 witnesses were examined as to those two facts.
 There is not however in the Journals a single
 word of the evidence they gave, and it is well
 known that not one of them did, or could,
 say any thing relative to the *authorship*. The
 evidence of the *publication* was exceedingly
 slight, but the willingness of the judges made
 ample

ample amends for the deficiency of the witnesses, who were not upon oath. The administration did not chuse to risk either of these charges against me even in the court of King's Bench, and I was only tried for a *re-publication*. I will never blush at the imputation of being the *author* of that paper, because I know that truth is respected in every line. One circumstance will soon fully appear to the indignant public. I mean the large * debt on the Civil List, contracted chiefly by the scandalous purchase of a parliamentary approbation of the late ignominious *peace*, the arbitrary *Excise*, and other ruinous measures of the Scottish minister. But I leave the affair of the Civil List to a future exact discussion.

The last calumny, my lord, which I shall disprove, respects the actions at law against lord Halifax. It is said that I have neglected, or purposely discontinued them, since my exile. The imputation is totally groundless. I was so ill at Paris in the beginning of the year 1764, that it was impossible for me then to return to England alive, but I gave the most express orders that the law proceedings should be carried on with vigour, and in fact

* Above half a million was voted on this account in March 1769, and a direct refusal made to inquire into the causes of the Civil List debt.

‘ there was not a moment’s delay. When my
 ‘ wound began to heal in the spring, I was dis-
 ‘ suaded by all my friends from returning to a
 ‘ country, where the same administration, which
 ‘ had illegally seized my person, plundered my
 ‘ house, corrupted the fidelity of my servants,
 ‘ and by the wicked arts of an arbitrary judge,
 ‘ who caused the *records to be falsified*, had just
 ‘ obtained two verdicts against me, were still
 ‘ in full power. I yielded to these reasons,
 ‘ because * *propter eorum scelus, nihil mihi intra*
 ‘ *meos parietes tutum, nihil insidiis, vacuum vi-*
 ‘ *derem*. Lord Halifax for near two years availed
 ‘ himself of every advantage, which privilege
 ‘ and the chicane of law could furnish. He
 ‘ never entered any appearance to a court of
 ‘ justice, and the Common Pleas had, as far
 ‘ as they could, punished such an open con-
 ‘ tempt, such a daring proof that administra-
 ‘ tion would not submit to the *law of the land*,
 ‘ and had endeavoured to compel his lordship

* These words the great Roman orator uses concerning his own unfortunate condition. After his return to England, Mr. Wilkes might have applied to himself the rest of the passage, *in reditu meo nibilo meliores res domesticas, quàm rempublicam offendissem—novarum me necessitudinum fidelitate contra veterum perfidiam muniendum putavi*. The experience of every man, who has drunk deep of the bitter cup of adversity, has been, I believe, much the same in all ages. The treachery of the great, and the baseness of the degenerate herd of selfish and interested friends, fill most of our books. The world has never been without the *Clodius* and the *Grafton*, no more than the *serpent* and the *viper*.

‘ to appear. Towards the end of 1764 I
 ‘ was *outlawed* *. The proceedings continued
 ‘ against his lordship till that hour. He then
 ‘ appeared, and his single plea was, that as an
 ‘ *outlaw*, I could not hold any action. No other
 ‘ defence was made against the heinous charge
 ‘ of having in my person violated the rights of
 ‘ the people.

‘ I felt this, my lord, as the most cruel
 ‘ stroke, which fortune had given me. Jus-
 ‘ tice had at length overtaken many of the in-
 ‘ ferior criminals, but my *outlawry* prevented
 ‘ my punishing the great, the capital offender,
 ‘ when after all his subterfuges he was almost
 ‘ within my reach. I please myself however
 ‘ with the reflexion, that no minister has since
 ‘ dared to issue a *General Warrant*, nor to sign
 ‘ an order for the *Seizure of Papers*. In the
 ‘ one the personal liberty of every subject is
 ‘ immediately concerned. On the other may
 ‘ depend not only his own safety and property,
 ‘ but what will come still more home to a man
 ‘ of honour, the security, the happiness of
 ‘ those, with whom he is most intimately con-
 ‘ nected, their fortunes, their future views,

* This *outlawry* was not declared illegal till June 1768.
 When Mr. Wilkes received abroad the news of his being *out-
 lawed*, he was not dejected, but gave immediate orders to at-
 tempt the reversal of all the proceedings, and concluded in the
 words of Tully, *Perficiam profectò, ut me non modò non segregan-
 dum, cùm sim civis, à numero civium, verum etiam si non essem, pu-
 tetis asciscendum fuisse.*

‘ perhaps secrets, the discovery of which would
 ‘ drive the coldest stoic to despair, their very
 ‘ existence possibly, all that is important in the
 ‘ public walk of life, all that is dear and sa-
 ‘ cred in friendship and in love. I was the
 ‘ *last* oppressed, but I was the *first* man, who
 ‘ had the courage to carry through a just re-
 ‘ sistance to these acts of despotism. The opi-
 ‘ nions of our sovereign courts of justice are
 ‘ now known and established. I rejoice that
 ‘ several others, who suffered * before me,
 ‘ have made their appeal to the laws, and ob-
 ‘ tained redress. I hope the iron rod of mi-
 ‘ nisterial oppression is at length broken, and
 ‘ that I am the last victim of violence and cru-
 ‘ elty. I shall not then regret all the sacrifices
 ‘ I have made, and my mind shall feast itself
 ‘ with the recollection in the unjust exile I am
 ‘ doomed to suffer from my friends and my na-
 ‘ tive land.

‘ I will now, my lord, only add, however
 ‘ unfashionable such a declaration may be, that
 ‘ consistency shall never depart from my cha-
 ‘ racter, that to the last moment I will pre-
 ‘ serve the same fixed and unconquerable ha-
 ‘ tred to the enemies of our happy island, the
 ‘ same warm attachment to the friends and the

* The reverend Mr. John Entick, Mr. Arthur Beardmore,
 and others, were apprehended on account of the Monitor in
 1762, but did not bring their actions against the Secretaries of
 State, or the Messengers, till 1764.

‘ cause of liberty, that I keep a steady and a
 ‘ longing eye on England, that my endeavours
 ‘ for the good and service of my country by
 ‘ every method left me, shall have a period on-
 ‘ ly with my life, and that although I do not
 ‘ mean to lay any future claim to your grace’s
 ‘ favour, I will take care to secure your es-
 ‘ teem.

‘ I am, my lord,

‘ Your grace’s most obedient,

‘ and very humble servant,

‘ JOHN WILKES.’

“ *Gratias tibi, Deus optime, maxime, cujus*
 “ *nutu et imperio nata est et aucta res Angli-*
 “ *cana, lubens lætusque ago, libertate publicâ*
 “ *in hanc diem et horam, per manus, quod vo-*
 “ *luisti, meas, servatâ, eandem et in æternum*
 “ *serva, fove, protege propitiate, supplex oro.”*

Mr. Wilkes having continued in exile from Christmas 1763, to March 1768, (upwards of four years) returns to his native country.

The first step was to obtain a pardon, and without any solicitations to the minister, whom he was taught now to regard as his bitterest enemy, he immediately addressed the following letter, filled with professions of the utmost duty and respect, to his Sovereign, though without any success :

‘ To

‘ To his Most Sacred Majesty King

‘ G E O R G E.

‘ S I R E,

‘ I beg thus to throw myself at your Ma-
‘ jesty’s feet, and supplicate the mercy and
‘ clemency which shine with such lustre among
‘ your princely virtues.

‘ Some former Ministers, whom your Ma-
‘ jesty, in condescension to the wishes of your
‘ people, thought proper to remove, employed
‘ every wicked and deceitful act to oppress your
‘ subject, and to avenge their own personal
‘ cause on him, whom they imagined to be the
‘ principal author of bringing to public view
‘ their ignorance, insufficiency, and treachery
‘ to your Majesty and the nation.

‘ I have been the innocent and unhappy
‘ victim of revenge. I was forced by their in-
‘ justice and violence into exile, which I have
‘ never ceased to consider, for many years, as
‘ the most cruel oppression; because I could
‘ no longer be under the benign influence of
‘ your Majesty in the land of liberty.

‘ With a heart full of zeal for the service of
‘ your Majesty and my country, I implore,
‘ Sire, your clemency. My only hopes of par-
‘ don are founded in the great goodness and be-
‘ nevolence of your Majesty; and every day of
‘ freedom you may be graciously pleased to per-

- ‘ mit me the enjoyment of, in my dear native
- ‘ land, shall give proofs of my zeal and attach-
- ‘ ment to your service.
- ‘ March 4, 1768.

‘ JOHN WILKES.’

On the 11th of March, to the astonishment of every one, appeared in all the morning papers, the following spirited address to the livery of London; this was a push which required all the art and power of the ministry to parry, and had there been time for that influence, which now began to spread amongst all ranks of people, it is thought the attempt would have been crowned with success.

‘ *To the worthy liverymen of the city of London.*

- ‘ Gentlemen, and Fellow Citizens,
- ‘ In deference to the opinion of some very
- ‘ respectable friends, I presume to offer myself
- ‘ a candidate for my native city of LONDON,
- ‘ at the ensuing general election. The appro-
- ‘ bation you have been pleased on several oc-
- ‘ casions to express of my conduct, induces me
- ‘ to hope that the Address I have now the ho-
- ‘ nour of making to you will not be unfavour-
- ‘ ably received,

‘ The

‘ The chief merit, with you, Gentlemen,
‘ I know to be a sacred love of liberty, and
‘ of those generous principles, which at first
‘ gave, and have since secured this nation, the
‘ Great Charter of Freedom. I will yield to
‘ none of my countrymen in this noble zeal,
‘ which has always characterised Englishmen.
‘ I may appeal to my whole conduct, both in
‘ and out of Parliament, for the demonstration
‘ that such principles are deeply rooted in my
‘ heart, and that I have steadily pursued the in-
‘ terests of my country, without regard to the
‘ powerful enemies I created, or the manifest
‘ dangers in which I must thence necessarily be
‘ involved, and that I have fulfilled the duties
‘ of a good subject.

‘ The two important questions of public
‘ Liberty, respecting General Warrants and
‘ Seizure of Papers, may perhaps place me
‘ among those who have deserved well of man-
‘ kind, by an undaunted firmness, perseverance,
‘ and probity : these are the virtues which your
‘ ancestors never failed to exert in the same na-
‘ tional cause of Liberty, and the world will see
‘ renewed in their descendants on every great
‘ call of freedom and our country.

‘ The nature and dignity of the trust, gentle-
‘ men, which I now solicit, strike me very for-
‘ cibly. I feel the warmest zeal for your in-
‘ terests, and affection for your service. I am
‘ conscious how unequal my abilities are ; yet
‘ fidelity and integrity shall in some measure
‘ com-

‘ compensate that deficiency, and I will endeavour through life, to merit the continuance of your approbation, the most precious reward to which I aspire. If I am honoured with so near a relation to you, it will be my ambition to dedicate myself to your service, and to discharge with spirit and assiduity, the various and important duties of the distinguished station in which I may be placed, by the favour of you, Gentlemen, the Livery of LONDON.

‘ I am, with the utmost respect,

‘ G E N T L E M E N,

‘ Your most faithful and obedient

‘ Humble servant,

London,

March 10, 1768. ‘ JOHN WILKES.’

On the 16th of March the election for the city of London came on at Guildhall, when the majority of hands was declared to be for the right honourable the lord mayor, Sir Robert Ladbroke, William Beckford, esq; and John Wilkes, esq; the sheriffs being at first doubtful, whether the lord mayor, Sir Richard Glyn, Barlow Trecothick, esq; or John Paterfon, esq; had the greatest shew of hands, those four were put up again; when the majority appeared to be in favour of the lord mayor; but a poll was demanded for Sir Richard Glyn, Barlow Trecothick, esq; and John Paterfon, esq; all the candidates

didates appeared on the hustings. Previous to the nomination, Mr. Wilkes made the following speech to the livery :

‘ Gentlemen,

‘ I am happy to find myself once more
 ‘ amongst the friends and patrons of Liberty.
 ‘ This day makes me glorious amends for the
 ‘ rigor of a long unmerited exile ; in which
 ‘ the only consolation remaining to me was,
 ‘ that from my sufferings you had an uninter-
 ‘ rupted enjoyment of your most invaluable
 ‘ rights and privileges : since the exertion of
 ‘ my firmness in an important moment, no mi-
 ‘ nister has once dared to issue a *general warrant*
 ‘ against your persons, or to sign an order for
 ‘ the *seizure* of your papers ; and I trust that
 ‘ such despotism will never be again exercised
 ‘ over the free subjects of this country.

‘ I stand here, gentlemen, a private man,
 ‘ unconnected with the great, and unsupported
 ‘ by any party. I have no support but you ; I
 ‘ wish no other support : I can have none more
 ‘ certain, none more honourable. If I have
 ‘ the happiness, gentlemen, of being returned
 ‘ to parliament by your favour, I shall be ready
 ‘ to pay the greatest deference to the sentiments
 ‘ of my constituents on every occasion, and
 ‘ shall dedicate myself to their service, by pro-
 ‘ moting to the utmost of my abilities the trade
 ‘ and commerce of this great metropolis, by
 ‘ which alone it can maintain the first rank it
 ‘ now

‘ now enjoys, and I hope, with its liberties,
‘ will ever enjoy.’

Mr. Wilkes waited on the chamberlain, at his house, on the evening before the election, and took up his freedom of the city, and livery of the joiners company : and the next morning about nine o’clock went to Guildhall, and was in the council chamber some time ; from whence he proceeded, with the rest of the candidates, to the hustings, and was received by the people with loud acclamations, which were repeated as soon as he had ended his Address to the livery, and on his being returned one of the representatives.

There was as full a hall as ever known upon the like occasion.

After the declaration of the sheriffs, that the majority of hands had evidently appeared for Sir Robert Ladbroke, William Beckford, esq; and John Wilkes, esq; and upon the second holding up of hands, to determine which of the other candidates had likewise a majority, it was at length declared in favour of the lord mayor. Sir Robert Ladbroke, the lord mayor, and Mr. Beckford, consulted together ; Sir Robert Ladbroke and Mr. Beckford were of opinion, that a joint address should be made to the livery, as usual, by the four candidates, so nominated and returned to the hall. This was refused by the lord mayor.—Query, was the reason of this refusal, his having burnt his own fingers, as well
well

160 *State of the Poll each Day at Guildhall.*

well as the North Briton, No. 45, or the influence of his ministerial contract for the clothing several regiments?

The following is the state of the poll each day.

	Wed.	Th.	Frid.	Sat.	Mon.	Tu.	Wed.	Total.
Harley -	64	562	890	566	660	591	396	3729
Ladbroke -	81	563	796	565	647	583	443	3678
Beckford -	59	449	753	482	614	583	462	3402
Trecothick	60	446	628	438	478	514	393	2957
Glyn - -	57	429	611	391	534	435	366	2823
Paterfon -	59	324	400	274	299	244	189	1769
Wilkes -	26	143	253	154	257	213	198	1247

At the conclusion, which was on Wednesday March 23, Mr. Wilkes addressed the livery as follows :

‘ Gentlemen and Fellow-Citizens,
 ‘ The poll being finished, I return my sincerest thanks to those disinterested and independent friends, who have steadily and generously stood forth in my favour. The want of success, out of our power to command, has not in the least abated my zeal for your service. You cannot be unacquainted with the various circumstances which have contributed to it. My friends were of opinion that I should wait the dissolution of the last slavish

‘ and venal parliament, while the other candi-
‘ dates had been for many months soliciting
‘ your interest. Ministerial influence, assisted
‘ by private malice, has been exerted in the
‘ most arbitrary and unconstitutional manner,
‘ and by means of the basest chicanery and op-
‘ pression.

‘ But though disappointed, I am not in
‘ the least dispirited: on the contrary, I re-
‘ flect with pride and gratitude on the many
‘ instances of regard and affection I have re-
‘ ceived from the livery of London.

‘ I beg leave to make my best acknowledg-
‘ ments to the sheriffs, who have shewn the
‘ utmost candour and impartiality during the
‘ election, accompanied with a dignity of cha-
‘ racter becoming their station in this great me-
‘ tropolis.

‘ And now, gentlemen, permit me to address
‘ you as friends to liberty, and freeholders of
‘ the county of Middlesex; declaring my in-
‘ tention of appearing as a candidate to repre-
‘ sent you in Parliament, and still hoping, by
‘ your means, to have the honour of being use-
‘ ful to you in the British senate.

‘ Gentlemen of the livery, I recommend it
‘ to you in the strongest manner, to exert
‘ yourselves to preserve the peace and quiet of
‘ this great city.’

Next day the following advertisement ap-
peared :

Append. VOL. I.

L

‘ To

‘ *To the worthy liverymen of the city of
London.*

‘ Gentlemen and brother-liverymen,
‘ The honour done me by the nomination
‘ of the common-hall, though ineffectual, from
‘ the oppressive means made use of during the
‘ poll, calls for my sincerest and warmest ac-
‘ knowledgments. I am sensible that I had the
‘ hearts of many, who could not give me their
‘ hands, but I trust from the spirited conduct
‘ of those liverymen whose votes were engaged
‘ before my intention was known, that I shall
‘ be honoured on any future occasion with both
‘ the heart and hand of every friend of liberty
‘ and our country.

‘ I am,

‘ With the sincerest attachment,

‘ GENTLEMEN,

‘ Your most obliged

‘ humble servant,

Wednesday night,
March 23.

‘ JOHN WILKES.’

The last day but one of the poll for the city, Mr. Wilkes sent the following letter to Mr. Nuthall, Solicitor of the Treasury.

‘ London, March 22, 1768.

‘ S I R,

‘ I take the liberty of acquainting you, that
‘ in the beginning of the ensuing term I shall
‘ present myself to the court of King’s Bench.
‘ I pledge my honour as a gentleman, that on
‘ the very first day I will there make my per-
‘ sonal appearance.

‘ I am, Sir,

‘ Your most humble servant,

‘ JOHN WILKES.’

The day after the poll for the city of London was closed, appeared the following address.

‘ *To the gentlemen, clergy, and freeholders of the county of Middlesex.*

‘ Gentlemen,

‘ Having ever gloriously distinguished your-
‘ selves as Englishmen, by preventing the en-
‘ croachments of arbitrary power, despising mi-
‘ nisterial influence, and maintaining the rights
‘ and privileges of free-born subjects in a land

‘ of liberty, I beg leave to offer myself a can-
 ‘ didate to represent you in the ensuing parlia-
 ‘ ment, and to give you the strongest assurances
 ‘ that I shall, on this and every other occasion,
 ‘ exert that inflexible steadiness and undaunted
 ‘ perseverance, in the best of causes, which I
 ‘ trust have hitherto recommended my conduct,
 ‘ and will ever constitute the most essential part
 ‘ of my character.

‘ I am, Gentlemen,
 ‘ With the truest esteem and regard,
 ‘ Your most devoted,
 ‘ and most obedient humble servant,

Wednesday night, ‘ JOHN WILKES.’
 March 23.

On Monday, March the 28th, the election came on at Brentford. Mr. Wilkes went privately thither on the preceding evening, and at nine o'clock next morning appeared on the hustings, which were erected in the middle of a place called Brentford Butts. The sheriffs came about ten o'clock, but the other candidates, Sir William Beauchamp Proctor, and George Cooke, esq; did not appear till past one.

The freeholders were frequently impatient, calling out for the poll; and Mr. Wilkes as often addressed himself to the public, requesting their patience until the appearance of all the candidates.

candidates. The poll-books were opened half past one, from which time the books were fully employed until near five o'clock, when the freeholders slackened: and at half an hour after five, no freeholders offering to poll, it was proposed to close the books at six o'clock; at the same time the sheriffs sent to Mr. Cooke, at a house contiguous, for his concurrence; no answer being received, four other messages were sent, one after another, without any answer, until past seven o'clock, when the sheriffs were informed Mr. Cooke was gone for London. The sheriffs then went round to every book, and finding no person polling, made a proclamation for freeholders to come and poll, or that the books would be closed. After waiting some time, and three several proclamations, without any freeholders appearing to poll, the books were sealed up, when the sheriffs adjourned until Tuesday morning at nine o'clock, to cast up the books, and make their return; when the numbers were,

Mr. Wilkes,	-	-	-	-	-	1292
Mr. Cooke,	-	-	-	-	-	827
Sir William Beauchamp Proctor	-	-	-	-	-	807

when the two former were declared duly elected.

The croud was greater than ever known on the like occasion, yet the whole poll was conducted with the greatest regularity and order;

there was not the least insult or violence offered to any of the electors that polled for either party ; and it is very remarkable, that, during the time of polling, not one freeholder present was in the least intoxicated with liquor.

The town of Brentford was immediately illuminated : and the people, on their return that evening to London, obliged the inhabitants of London and Westminster to illuminate also.

It being late in the evening, and most of the families retired to bed, several irregularities were committed by the mob, such as breaking windows, &c. where candles were not immediately lighted, particularly at the earl of Bute's, the Mansion-house, &c. however, the next evening, the 29th, there was a general illumination throughout London and Westminster.

The following is Mr. Wilkes's address of thanks on being elected and declared a member for the county of Middlesex.

*To the gentlemen, clergy, and freeholders of the
county of Middlesex.*

‘ Gentlemen,

‘ Most gratefully sensible of those generous
‘ and patriotic principles which have induced
‘ you to elect me your representative in parlia-
‘ ment, I intreat you to accept of my best
‘ endeavours to express the joy which inspires
‘ me

me on so interesting, so affecting an occasion. The personal regard you have shewn me, indeed, confers on me an obligation, the due sense of which I too cordially feel to find words to describe. I cannot, however, forbear congratulating you, as the most distinguished of Englishmen, on the honourable proof you have given, that the genuine spirit of independency, the true love of our country (for which the county of Middlesex has, for ages, been so eminently conspicuous) still glow in your breasts with unremitting ardour, still shine forth with undiminished lustre. Let them call their PUSILLANIMITY prudence, while they ignominiously kiss the rod of power, and tamely stoop to the yoke, which artful ministers insidiously prepare, and arbitrarily impose. You, Gentlemen, have shewn, that you are neither to be deceived nor enslaved.

In proving yourselves enemies to ministerial persecution, the eyes of the whole kingdom, of the whole world, are upon you, as the first and firmest defenders of public liberty. Happy shall I think myself, if, fired by your example, the efforts of my warmest zeal may be deemed an adequate return for the favours you have bestowed on me; but however inefficient my abilities, my will to serve you is unbounded as it is unalterable. Engaged as I have long been in the glorious cause of freedom, I beg you to consider my past conduct as an earnest of the future, and to look

‘ on me as a man, whose primary views will
 ‘ ever regard the rights and privileges of his
 ‘ fellow countrymen in general, and whose se-
 ‘ condary views shall be attentively fixed on the
 ‘ dignity, advantage, and prosperity of the coun-
 ‘ ty of Middlesex. Let me therefore desire of
 ‘ you, gentlemen, to favour me from time to
 ‘ time, with such instructions as may best en-
 ‘ able me to accomplish those ends; resting
 ‘ assured of always finding me devoted to your
 ‘ service, and that the happiest moments of
 ‘ my life will be those in which I am employed
 ‘ in maintaining the civil and religious rights
 ‘ of Englishmen, and in promoting the interests
 ‘ of my constituents.

‘ I am, with the truest respect,

‘ Gentlemen, your obliged,

‘ and faithful humble servant,

‘ Tuesday,

‘ March 29.

‘ JOHN WILKES.’

Among the many cruel and oppressive mea-
 sures of this administration against Mr. Wilkes,
 the following ought to be noticed. When Mr.
 Wilkes dined with his friends, on the 10th of
 April last, at the King's Arms Tavern, in
 Cornhill, he was served, in the midst of them,
 by an agent of the secretary of the Treasury,
 with an exchequer writ and bill of discovery,
 upon information, consisting of many sheets of
 paper,

paper, in order to discover and seize all his effects under the *outlawry*, as being forfeited to the crown, although the *writs of error* in the case of the *outlawry* had been actually allowed. The *outlawry* has since been declared illegal from the beginning. *Query*, If the Treasury had succeeded in their attempt of seizing the effects of Mr. Wilkes, under that *illegal outlawry*, would it not have been a downright robbery?

In consequence of the promise contained in the letter to Mr. Nuthall, Mr. Wilkes appeared before the Court of King's Bench, on the 20th of April 1768, the first day of Term, and there delivered the following Speech.

‘ My Lords,

‘ According to the voluntary promise I made to the public, I now appear before this sovereign court of justice, to submit myself in every thing to the laws of my country.

‘ Two verdicts have been found against me. One is for the re-publication of the North Briton, No. 45, the other for the publication of a ludicrous poem.

‘ As to the re-publication of that number of the North Briton, I cannot yet see that there is the smallest degree of guilt. I have often read and examined with care that famous paper. I know that it is in every part founded
‘ on

‘ on the strongest evidence of facts. I find it full
‘ of duty and respect to the person of the King,
‘ although it arraigns, in the severest manner,
‘ the conduct of his Majesty’s then ministers,
‘ and brings very heavy charges home to them.
‘ I am persuaded they were well grounded,
‘ because every one of those ministers has since
‘ been removed. No one instance of falsehood
‘ has yet been pointed out in that pretended
‘ libel, nor was the word *false* in the informa-
‘ tion before this court. I am therefore per-
‘ fectly easy under every imputation respecting
‘ a paper, in which truth has guided the pen
‘ of the writer, whoever he was, in every single
‘ line, and it is this circumstance which has
‘ drawn on me, as the supposed author, all
‘ the cruelties of ministerial vengeance.

‘ As to the other charge against me for the
‘ publication of a poem, which has given just
‘ offence, I will assert, that such an idea never
‘ entered my mind. I blush again at the recol-
‘ lection that it has been at any time, and in
‘ any way, brought to the public eye, and
‘ drawn from the obscurity in which it re-
‘ mained under my roof. Twelve copies of
‘ a small part of it had been printed in my
‘ house at my own private press. I had care-
‘ fully locked them up, and I never gave one to
‘ the most intimate friend. Government, after
‘ the affair of the North Briton, bribed one of
‘ my servants to rob me of the copy, which
‘ was produced in the House of Peers, and
‘ afterwards

‘ afterwards before this honourable court. The
‘ nation was justly offended, but not with me,
‘ for it was evident that I had not been guilty
‘ of the least offence to the public. I pray
‘ God to forgive, as I do, the jury, who have
‘ found me guilty of publishing a poem I con-
‘ cealed with care, and which is not even yet
‘ published, if any precise meaning can be af-
‘ fixed to any word in our language.

‘ But, my lords, neither of the two verdicts
‘ could have been found against me, if the
‘ records had not been materially altered with-
‘ out my consent, and, as I am informed, con-
‘ trary to law. On the evening only before the
‘ two trials, lord chief justice Mansfield caused
‘ the records to be altered at his own house,
‘ against the consent of my solicitor, and with-
‘ out my knowledge; for a dangerous illness,
‘ arising from an affair of honour, detained me
‘ at that time abroad *. The alterations were
‘ of

* The fact respecting the alteration of the record in the case of the North Briton is stated in the following manner in *the History of the Minority*, page 265. “When this cause stood ready for trial, Francis Barlow of the crown-office received directions from Mr. Wallace or Mr. Webb, to apply to a judge to get the information against Mr. Wilkes amended, by striking out the word “*purport*,” and inserting in its stead, the word “*tenor*.” Upon which Barlow applied to lord Mansfield, and obtained a summons to shew cause why it should not be so amended; and Mr. Phillips, Mr. Wilkes’s solicitor, attended lord Mansfield, at his house in Bloomsbury square, on Monday the 20th of February 1764, (which was the day before Mr. Wilkes’s

‘ of the utmost importance, and I was in conse-
 ‘ quence tried the very next day on two new
 ‘ charges, of which I could know nothing.
 ‘ I will venture to declare this proceeding un-
 ‘ constitutional. I am advised that it is illegal,
 ‘ and that it renders both the verdicts absolutely
 ‘ void.

‘ I have stood forth, my lords, in support
 ‘ of the laws against the arbitrary acts of mi-
 ‘ nisters. This court of justice, in a solemn ap-
 ‘ peal respecting *General Warrants*, shewed their
 ‘ sense of my conduct. I shall continue to
 ‘ reverence the wise and mild system of English
 ‘ laws, and this excellent constitution. I have
 ‘ been much misrepresented; but under every
 ‘ species of persecution, I will remain firm and
 ‘ friendly to the monarchy, dutiful and affec-
 ‘ tionate to the illustrious Prince who wears the
 ‘ crown, and to the whole Brunswick line.

‘ As to all nice, intricate points of law, I
 ‘ am sensible how narrow and circumscribed

Wilkes's trial) in consequence of that summons. Lord Mans-
 field asked him, what objections he had to such an amendment?
 he answered, that he could not consent: upon which lord Mans-
 field said, he did not ask his consent: but wanted to know what
 were his objections; and asked, if it was not usual to amend
 informations, or to that effect. Then having read some prece-
 dents, out of a book which his lordship had in his hand, he
 made a written order to amend the said information in the man-
 ner applied for."

For a particular account of the transaction, see the evidence,
 &c. delivered in at the bar of the House of Commons, printed
 in the 113th number of the North Briton.

‘ my

‘ my ideas are ; but I have experienced the
‘ deep knowledge, and great abilities of my
‘ counsel. With them I rest the legal part of
‘ my defence, submitting every point to the
‘ judgment of this honourable court, and to the
‘ laws of England.’

When Mr. Wilkes had finished his speech, Mr. Attorney-general moved for his immediate commitment on the outlawry. He was answered by Mr. Serjeant Glynn, Mr. Recorder of London, Mr. Mansfield, and Mr. Davenport, successively, who all moved the court for a writ of error, which Mr. Attorney-general, on being applied to last Saturday, had refused to grant. They specified several particulars in which the process of outlawry was erroneous, as sufficient grounds for the motion, and offered to give any bail for Mr. Wilkes's appearance. The court then proceeded to give their opinions *seriatim*. Lord Mansfield spoke long and forcibly on the impropriety of the procedure on both sides ; observing that the Attorney-general could not, with the least appearance of reason or law, move for the commitment of a person who was not *legally* in court ; nor had the counsel for the defendant any better plea for their motion in favour of a man who appeared *gratis* before them : he added, that had Mr. Wilkes been brought thither by a writ of *Capias utlegatum*, the motion might then have been made with propriety, and the court might then

then have exerted, had they pleased, their discretionary power in accepting or refusing his bail. His lordship further expressed himself very happy in having an opportunity of explaining his sentiments publicly, before so large an audience, with regard to the charge brought against him by Mr. Wilkes, of granting an order for the amendment in the information against him, in substituting the word *tenor* instead of *purport*; declaring repeatedly, that he thought himself bound in duty to grant it; that he conceived it to be the uniform practice of all the judges to grant such amendments; that he had himself frequently repeated the same practice in other causes, without the least objection being ever offered against it. The rest of the judges agreed with the Chief Justice in opinion, that as Mr. Wilkes was not legally before the court, no proceedings could be had upon his case; Mr. Justice Willes particularly remarking, “that the officers of the crown had no right to throw upon that court the business of committing Mr. Wilkes upon his *gratis* appearance, out of the common course of law, when they might have brought him before it legally by a writ of *Capias utlegatum*, which it would have been very easy to execute, since he had notoriously appeared in public for several weeks past; and, in that case, the Attorney-general might have made his motion with propriety.”

It ought not to pass unnoticed, that Mr. Reynolds, Mr. Wilkes's solicitor, applied to the Attorney-

Attorney-general for his *fiat* to obtain a writ of error against Mr. Wilkes's outlawry; which Mr. Attorney at first promised to grant, but afterwards refused;—upon what pretence, or by what order, has not transpired.

Westminster-hall, and all the places near it, was very full of people of all ranks who assembled in great crowds; but behaved in a very peaceable and orderly manner. Not the least indecorum, or insult was offered to any; though an idle tale was artfully and industriously propagated during several of the preceding days, by the spies and other runners of the m——y, that great riots and tumults would certainly happen. This report, and that was all the reason that can be assigned, induced the magistrates of Middlesex, Westminster, &c. to order out all the constables to patrol the streets; and the ministry not chusing to be behind-hand in countenancing that false rumour, (though they, or their friends, were the first and only inventors of it) directed the whole military force in and about London and Westminster, to be in readiness on that day. Two battalions of the guards were kept under arms in St. James's Park, others were ready in St. George's Fields, and those at St. James's, the Savoy, Tower, &c. had the proper orders in case they should be wanted, with several troops of horse. And it has been asserted, that the men were furnished with sixteen rounds of ammunition.—The complexion of the court, and the disposition of the

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the

the Favourite, are now so obvious and well known, as to render any comment unnecessary on this very extraordinary and most alarming military preparation.

On the 27th at noon, Mr. Wilkes sent to the sheriff's officer, Mr. Hill, to desire him to come to his lodgings and execute the *Capias utlegatum*, which had been issued: Mr. Hill accordingly attended, and served the *capias* on Mr. Wilkes; soon after, Mr. Wilkes went with very respectable bail to the court of King's Bench, where the cause was long argued by the counsel. Writs of error were now, after a week's delay, admitted by the Attorney-general, and ordered by the court. Mr. Wilkes's counsel insisted on his being admitted to bail, which they offered unexceptionable, and to any amount. The court acknowledged that they had a discretionary power to admit him to bail, with the consent of the prosecutor. Mr. Attorney-general, as prosecutor for the crown, refused that consent, and Mr. Wilkes was committed to the custody of the marshal of the King's Bench prison. Mr. Wilkes then followed the marshal into a private room, and from thence attended him and his two assistants to a hackney coach to be conveyed to prison. The Rev. Mr. Horne only was permitted to go with Mr. Wilkes. Soon after the coach drove off the people ran together, and on Westminster-bridge took the horses off, turned the coach round, and then drew it themselves quite through

through the city, to the Three-tuns in Spitalfields. Mr. Wilkes often desired them to depart quietly, but in vain, and they forced out of the coach the marshal and his two assistants, leaving only Mr. Horne with Mr. Wilkes. In their way through the city, they frequently asked Mr. Wilkes where he chose to go. He answered, To the King's Bench prison, where the laws of his country sent him. Afterwards, at the request of the Marshal, he desired them to stop at the Devil-tavern, Temple-bar; but they would not comply. As soon as Mr. Wilkes came to the Three-tuns in Spitalfields, he again desired the people to disperse; and, as soon as he could, left the house privately, by a back way, disguised, and came voluntarily and surrendered himself to the prison of the King's Bench.

A letter from Mr. Wilkes to his attorney.

‘ King's Bench Prison, Friday, April 29.

‘ S I R,

‘ The *writs of error*, in the case of my *outlawry*, being now allowed, I desire you to examine carefully into the state of the proceedings, in the action I brought five years ago, against lord Halifax, for having dared to issue a *general warrant*. I think that action was suspended solely by his lordship's plea, that I was *outlawed*. I hope to live to hear an Eng-

178 *Letter from Mr. Wilkes to his Attorney, &c.*

‘lish jury, by a formal verdict, condemn a Secretary of State, who violated the first right of this free nation, the personal liberty of our countrymen, in the most outrageous and illegal manner. I therefore beg you to lose no time in laying before my counsel every thing proper for the prosecution of this public cause, which no consideration shall make me decline or delay.

‘I thank you, Sir, for the daily proofs you give me of activity and zeal in the course of this great business, and desire you to believe me ever,

‘Your obliged humble servant,

‘JOHN WILKES.’

‘To Mr. Reynolds,
‘attorney at law, Lime-street.

The following is an exact copy of a letter from the Electors of Aylesbury to each of their Representatives.

‘SIR,

‘Fully persuaded that the clemency of the best of Princes will, if necessary, be at length exerted in favour of Mr. Wilkes, we hope, that, should an attempt be made to deprive him of his seat in parliament, you will, from your connection with us, who are sincere in

Letter from Aylesbury to their Representatives. 179

‘ our friendship for him, prefer lenity ; and
‘ from your regard to the public, justice to his
‘ constituents, before rigour and severity ; and
‘ use your utmost endeavours to prevent the suc-
‘ cess of such a measure. We are, Sir,
‘ Your most humble servants,

Edward Terry,
William Hickman,
John Dell,
Dev. Dagnall, jun.
Richard Terry,
John Smith,
Joseph Grimes,
Thomas Kirby,
John Perkins,
John Brett,
Daniel Lathwell,
John Turvey,
Francis Howse,
Henry Russell,
John Preston,
Robert Neale,
John Burnham,

John Stephens,
William Pugh,
Benjamin Bates,
John Plomer,
Rod. Hobbes,
Thomas Hill,
John Hill,
William Brooke,
John Russell,
Thomas Smith,
E. Price,
John Woodcock,
H. Stone,
Robert Patten,
Robert Jemmet,
Francis Neale,
Hen. Sherife.

‘ *Aylesbury, April 30.*

Directed to John Durand, esq; and the same to
Anthony Bacon, esq;

A letter from Mr. Diderot to John Wilkes, esq;

‘ Paris, April 2, 1768.

‘ SIR,

‘ I received, with the greatest pleasure, the
‘ news of your election. I happened to be with
‘ the President ———, when your letter was
‘ delivered to me : it was immediately read ;
‘ and the whole company, which was very nu-
‘ merous, was overjoyed at your success. Your
‘ social virtues will, at all times, and in all
‘ places, render your memory dear and preci-
‘ ous to your friends ; and the justice, which
‘ has been done you in so public and distin-
‘ guished a manner, indemnifies you sufficient-
‘ ly for the hardships of your exile. How plea-
‘ sing it is to reign in the hearts of men ! you
‘ reign in those of your fellow-citizens : you
‘ deserve to reign in them : you have supported
‘ their rights ; and genuine sons of freedom, as
‘ they are, they have crowned with applause
‘ the champion of their liberties.

‘ The uncommon unanimity with which the
‘ electors voted in your favour, is an uncon-
‘ testable proof of their impartiality. The
‘ bribery, corruption, and underhand arts,
‘ which are so frequent in almost all elections,
‘ had no place in yours : the love of liberty
‘ fired every breast, and procured you the suf-
‘ frage of the independent electors. And I
‘ doubt

‘ doubt not but you might have been chosen
‘ for London itself, where the different in-
‘ terests arising from trade set so many secret
‘ springs in motion, had the electors been as
‘ free in Guildhall, as they are interested in
‘ their commerce : but interest, you know, go-
‘ verns the world.

‘ Your quiet and peaceable demeanor does
‘ you infinite honour ; and your generous
‘ and patriotic principles will render your
‘ name immortal. You quitted Paris, that
‘ agreeable retreat, where your amiable and
‘ gentleman-like behaviour hath gained you so
‘ many friends ; and notwithstanding all the
‘ amusements which we endeavoured to pro-
‘ cure for you, in order to render your stay
‘ the more agreeable, you overlooked all dan-
‘ gers, and flew to support the rights of your
‘ country. Coriolanus meditated the ruin of
‘ his ; and under pretext of securing her li-
‘ berties, proposed she should receive the gall-
‘ ing yoke of slavery, after having demolished
‘ her walls. Actuated by a motive infinitely
‘ more noble, you go to yours in the charac-
‘ ter of a peace-maker ; and, as a reward of
‘ all that you have suffered for her sake, you
‘ ask nothing but the power of being further
‘ serviceable to her. In the same instant Lon-
‘ don opens to you her gates, and the citizens
‘ their hearts ; but the greater part of the elec-
‘ tors, restrained or intimidated by the power-
‘ ful influence of the other candidates, durst

' not venture to give you their votes. The in-
 ' dependent and famous county of Middlesex,
 ' however, has indemnified you for the secret
 ' machinations of the one, and the base pusil-
 ' lanimity of the other. Europe will be sur-
 ' prized at your patriotism and your success ;
 ' or rather Europe will admire the one, and
 ' rejoice at the other. I am the first to feli-
 ' citate you on the occasion, and to join my
 ' congratulations to those of all the friends of
 ' the human race, which was certainly never
 ' intended to wear fetters. The august senate
 ' of Great Britain will still count a Wilkes
 ' among its most illustrious members ; and
 ' the liberty of your country will still find in
 ' you a generous defender of its rights and pri-
 ' vileges. I have the honour to be, with the
 ' greatest sincerity,

‘ D I D E R O T.’

*To the Gentlemen, Clergy, and Freeholders of the
 county of Middlesex.*

‘ G E N T L E M E N,

' In support of the liberties of this country,
 ' against the arbitrary rule of ministers, I was
 ' before committed to the *Tower*, and am now
 ' sentenced to this *Prison*. Steadiness with,
 ' I hope, strength of mind, do not however
 ' leave me ; for the same consolation follows
 ' me here, the consciousness of innocence, of
 ' having

‘ having done my duty, and exerted all my
‘ poor abilities, not unsuccessfully, for this
‘ nation. I can submit even to far greater
‘ sufferings with chearfulness, because I see
‘ that my countrymen reap the happy fruits of
‘ my labours and cruel persecutions, by the re-
‘ peated decisions of our sovereign courts of jus-
‘ tice in favour of liberty. I therefore bear up
‘ with fortitude, and even glory that I am cal-
‘ led to suffer in this cause, because I continue
‘ to find the noblest reward, the applause of
‘ my native country, of this great, free, and
‘ spirited people.

‘ I chiefly regret, gentlemen, that this con-
‘ finement deprives me of the honour of thank-
‘ ing you in person, according to my promise,
‘ and at present takes from me, in a great de-
‘ gree, the power of being useful to you. The
‘ will however, to do every service to my con-
‘ stituents, remains in its full force, and when
‘ my sufferings have a period, the first day I
‘ regain my liberty shall restore a life of zeal
‘ in the cause and interests of the county of
‘ Middlesex.

‘ In this *prison*, in any other, in every place,
‘ my ruling passion will be the love of Eng-
‘ land and our free constitution. To those
‘ objects I will make every sacrifice. Under
‘ all the oppressions, which ministerial rage
‘ and revenge can invent, my steady purpose
‘ is to concert with you, and other true friends
‘ of this country, the most probable means of

184 *Mr. Wilkes brought before the Court of K.*

‘ rooting out the remains of arbitrary power,
‘ and star-chamber inquisition, and of improv-
‘ ing, as well as securing, the generous plans
‘ of freedom, which were the boast of our an-
‘ cestors, and I trust will remain the noblest
‘ inheritance of our posterity, the only genuine
‘ characteristic of Englishmen.

‘ I have the honour to be,

‘ with affection and regard,

‘ G E N T L E M E N,

‘ Your obliged and faithful

‘ Humble servant,

‘ King’s Bench Prison,

‘ Thursday, May 5, 1768.

‘ JOHN WILKES.’

June 9. This morning at eight, Mr. Wilkes was brought from the prison of the King’s Bench to the court. The judges came about nine. It had been mentioned the last term, that a new argument was desired, and that new ground might be taken for the reversal of the outlawry. At the opening of the court, Mr. Wilkes made a short speech, that he was perfectly satisfied with the state of the argument, as it was left by Mr. Serjeant Glynn, that he did not mean to quit the firm and solid ground on which it rested, and was persuaded, from
the

the justice of the court, that his outlawry must be reversed. The Attorney-general then, in support of the outlawry, entered upon a very long argument, to which no one of Mr. Wilkes's counsel replied. The judges afterwards delivered their opinions very fully, and were unanimous that the outlawry was illegal, and must be reversed. Their lordships differed as to some reasons, but all concurred in the reversal, and the irregularity of the proceedings.

The Attorney-general then demanded judgment on the two verdicts. Mr. Wilkes desired to avail himself of several points in arrest of judgment. He said, that when he had the honour of appearing before that court on the 29th of April, he had stated the case of the alteration of the records at lord Mansfield's own house; that his lordship had replied; but that however his lordship had delivered only his own opinion; and the opinion of one judge, however distinguished for great ability, was not the judgment of the court, which he desired, and submitted to, and begged that his counsel might argue that, and some other points of importance. Several things were afterwards mentioned by the Attorney-general, and by Mr. Wilkes's counsel. At last the court fixed the next Tuesday to debate, Whether both verdicts ought not to be set aside on the objections as to the records having been altered, and that the informations were not filed by the proper officer, but by the solicitor-general.

The

The right honourable the lord Mansfield made the following very long and elaborate speech on the subject of Mr. Wilkes's outlawry, and in justification of his own conduct, which had been the cause of much popular abuse being thrown out against his lordship.

Lord Mansfield's speech in the court of King's Bench.

‘ I have now gone through the several errors assigned by the defendant, and which have been ingeniously argued, and confidently relied on, by his counsel at the bar: I have given my sentiments upon them, and if, upon the whole, after the closest attention to what has been said, and with the strongest inclination in favour of the defendant, no arguments which have been urged, no cases which have been cited, no reasons which occur to me, are sufficient to satisfy me in my conscience and judgment, that this outlawry should be reversed, I am bound to affirm it——and here let me make a pause.

‘ Many arguments have been suggested, both in and out of court, upon the consequences of establishing this outlawry, either as they may affect the defendant as an individual, or the public in general: as to the first, whatever they may be, the defendant has brought them upon himself; they are inevitable consequences

“ sequences of law arising from his own act ;
“ if the penalty, to which he is thereby sub-
“ jected, is more than a punishment adequate
“ to the crime he has committed, he should not
“ have brought himself into this unfortunate
“ predicament, by flying from the justice of his
“ country ; he thought proper to do so, and
“ he must taste the fruits of his own conduct,
“ however bitter and unpalatable they may be ;
“ and although we may be heartily sorry for
“ any person who has brought himself into this
“ situation, it is not in our power, God for-
“ bid it should ever be in our power, to deliver
“ him from it ; we cannot prevent the judg-
“ ment of the law by creating irregularity in the
“ proceedings ; we cannot prevent the conse-
“ quences of that judgment by pardoning the
“ crime ; if the defendant has any pretensions
“ to mercy, those pretensions must be urged,
“ and that power exercised in another place,
“ where the constitution has wisely and necessa-
“ rily vested it : the crown will judge for itself ;
“ it does not belong to us to interfere with pu-
“ nishment ; we have only to declare the law ;
“ none of us had any concern in the prosecu-
“ tion of this business, nor any wishes upon the
“ event of it ; it was not our fault that the de-
“ fendant was prosecuted for the libels upon
“ which he has been convicted ; I took no share
“ in another place, in the measures which were
“ taken to prosecute him for one of them ; it
“ was not our fault that he was convicted ;
“ it

‘ it was not our fault that he fled ; it was not
‘ our fault that he was outlawed ; it was not
‘ our fault that he rendered himself up to jus-
‘ tice ; none of us revived the prosecution
‘ against him, nor could any one of us stop
‘ that prosecution when it was revived ; it is
‘ not our fault if there are not any errors upon
‘ the record, nor is it in our power to create
‘ any if there are none ; we are bound by our
‘ oath and in our consciences, to give such a
‘ judgment as the law will warrant, and as
‘ our reason can approve ; such a judgment as
‘ we must stand or fall by, in the opinion of
‘ the present times, and of posterity ; in do-
‘ ing it, therefore, we must have regard to
‘ our reputation as honest men, and men of
‘ skill and knowledge competent to the stations
‘ we hold ; no considerations whatsoever should
‘ mislead us from this great object, to which
‘ we ever ought, and I trust, ever shall direct
‘ our attention. But consequences of a public
‘ nature, reasons of state, political ones, have
‘ been strongly urged, (private anonymous let-
‘ ters sent to me I shall pass over) open avowed
‘ publications which have been judicially no-
‘ ticed, and may therefore be mentioned, have
‘ endeavoured to influence or intimidate the
‘ court, and so prevail upon us to trifle and
‘ prevaricate with God, our consciences, and
‘ the public : it has been intimated, that con-
‘ sequences of a frightful nature will flow from
‘ the establishment of this outlawry ; it is said,
‘ the

‘ the people expect the reversal, that the temper of the times demand it, that the multitude will have it so, that the continuation of the outlawry in full force will not be endured, that the execution of the law upon the defendant will be resisted: these are arguments which will not weigh a feather with me. If insurrection and rebellion are to follow our determination, we have not to answer for the consequences, though we should be the innocent cause—we can only say, *fiat justitia, ruat cælum*; we shall discharge our duty without expectations of approbation, or the apprehensions of censure; if we are subjected to the latter unjustly, we must submit to it; we cannot prevent it; we will take care not to deserve it. He must be a weak man indeed who can be staggered by such a consideration.

‘ The misapprehension, or the misrepresentation of the ignorant or the wicked, the *mendax infamia*, which is the consequence of both, are equally indifferent to, unworthy the attention of, and incapable of making any impression on men of firmness and intrepidity.——Those who imagine judges are capable of being influenced by such unworthy, indirect means, most grossly deceive themselves; and for my own part, I trust that my temper, and the colour and conduct of my life, hath clothed me with a suit of armour to shield me from such arrows. If I have
‘ ever

‘ ever supported the King’s measures, if I have
‘ ever afforded any assistance to government,
‘ if I have discharged my duty as a public or
‘ private character, by endeavouring to pre-
‘ serve pure and perfect the principles of the
‘ constitution, maintain un sullied the honour
‘ of the courts of justice, and, by an upright
‘ administration of, to give a due effect to, the
‘ laws, I have hitherto done it without any
‘ other gift or reward than that most pleasing
‘ and most honourable one, the conscientious
‘ conviction of doing what was right. I do
‘ not affect to scorn the opinion of mankind ;
‘ I wish earnestly for popularity, I will seek
‘ and will have popularity ; but I will tell you
‘ how I will obtain it ; I will have that popu-
‘ larity which follows, and not that which is
‘ run after. It is not the applause of a day,
‘ it is not the huzzas of thousands, that can
‘ give a moment’s satisfaction to a rational
‘ being ; that man’s mind must indeed be a weak
‘ one, and his ambition of a most depraved sort,
‘ who can be captivated by such wretched al-
‘ lurements, or satisfied with such momentary
‘ gratifications. I say with the Roman orator,
‘ and can say it with as much truth as he did,
‘ “ *Ego hoc animo semper fui, ut invidiam virtute*
‘ *partam, gloriam non infamiam, putarem :*” but
‘ the threats have been carried further, per-
‘ sonal violence has been denounced, unless
‘ public humour be complied with ; I do not
‘ fear such threats, I do not believe there is
‘ any

‘ any reason to fear them : it is not the genius
‘ of the worst of men in the worst of times to
‘ proceed to such shocking extremities : but if
‘ such an event should happen, let it be so,
‘ even such an event might be productive of
‘ wholesome effects ; such a stroke might rouse
‘ the better part of the nation from their lethargic condition to a state of activity, to assert and execute the law, and punish the daring and impious hands which had violated it ; and those who now supinely behold the danger which threatens all liberty, from the most abandoned licentiousness, might, by such an event, be awakened to a sense of their situation, as drunken men are sometimes stunned into sobriety. If the security of our persons and our property, of all we hold dear and valuable, are to depend upon the caprice of a giddy multitude, or to be at the disposal of a giddy mob ; if, in compliance with the humours, and to appease the clamours of those, all civil and political institutions are to be disregarded or overthrown, a life somewhat more than sixty is not worth preserving at such a price, and he can never die too soon, who lays down his life in support and vindication, of the policy, the government, and the constitution of his country *.’

June

* Q U E R I E S.

Query 1. Is not this Speech rather a panegyrick on the Speaker himself, than a discourse on the Reversal of Mr. Wilkes's Outlawry ?

2. Would

June 14. This morning at eight, Mr. Wilkes was again brought up to the court of King's Bench. The court sat about nine. Mr. Serjeant Glynn, the recorder of London, Mr. Mansfield, and Mr. Davenport, argued very largely on the two points, the filing of the information by the solicitor, not the attorney-general, and the alteration of the records at lord Mansfield's house the evening before the trials, without the knowledge of Mr. Wilkes. The one was in arrest of judgment, the other was for a new trial. The attorney-general, Sir Fletcher Norton, and Mr. Thurlow, made long speeches in reply, which were answered by Mr. Serjeant Glynn. Then the court proceeded to deliver their opinions, and over-ruled both the objections. Mr. serjeant Glynn next took notice, that as a writ of error was intended to be brought before a higher court of justice, before the House of Lords, he desired that the case of the alteration of the records, under such peculiar circumstances, might be stated on the back of the record, to be transmitted to the lords, otherwise that important point could not come before the house. This was absolutely refused by the court.

2. *Would it not have been more proper for the ESTABLISHING than the REVERSAL of the Outlawry?*

3. *Was it not studied when the former was intended?*

Lord

Lord Mansfield then made his report of the two trials. The attorney-general, Sir Fletcher Norton, and Mr. Thurlow, spoke in aggravation of both offences, and Mr. serjeant Glynn answered their arguments. After this, Mr. Wilkes desired that judgment might be passed upon him. The court declared, that they could not then pass judgment, but would consider it among themselves; and upon Mr. Wilkes's again pressing for a very early day, promised that there should be no delay.

Mr. Wilkes again offered bail, which was refused by the court. They continued sitting till near six.

June 18. This morning about eight, Mr. Wilkes was brought up to the court of King's Bench. Lord Mansfield, and the other three judges took their seats before nine. Mr. justice Yates harangued on the two offences; but took no notice of Mr. Kearsly's affidavit, setting forth, that the letters produced on the trial of the *Essay on Woman*, by which Mr. Wilkes was convicted, were taken from Mr. Kearsly by force, under the authority of an illegal *general warrant*. Nor did Mr. justice Yates dwell on the *publication* of the poem; but only on the nature and tendency of it. He then passed the following sentence:—That Mr. Wilkes be imprisoned twenty-two calendar months from this day: that he pay a fine of one thousand pounds; and give security for his future good behaviour for seven years; himself in a bond for one

thousand pounds, and two sureties in bonds of five hundred pounds each.

Mr. Wilkes himself then moved for a writ of error to the House of Lords; and said, that from the wisdom and justice of that court, he hoped that the alteration of the records by lord chief justice Mansfield, at his own house, might be put in such a form as to come by way of appeal before the House of Lords. Lord Mansfield replied, that they could not alter the *law*. Mr. Wilkes repeated his request, that so important a point might be brought before a superior court, and received the same answer from lord Mansfield, that they could not alter the L-A-W.

A C H A R A C T E R.

“ On the OTHER side up rose
 “ BELIAL;
 “ A *fairer* person lost not heav’n; he seem’d
 “ For dignity compos’d and high exploit:
 “ But all was FALSE and HOLLOW; though
 “ his tongue
 “ Dropt Manna, and could make the worse
 “ appear
 “ The BETTER reason.”

MILTON, book II. line 108, &c.

Mr. Wilkes is determined to bring the affair of the *Alteration of the Records* before the grand
 Committee

Committee for Grievances in the House of Commons *.

The following is Mr. *Wilkes's* Address to his Constituents on the same day.

*To the gentlemen, clergy, and freeholders of the
county of Middlesex.*

‘ GENTLEMEN,

‘ After every kind of opposition from the
‘ tools of ministerial power, and every hour
‘ of delay, which could be gained by the chi-
‘ cane of law, I find myself at last happy,
‘ even under this day’s severe sentence, that by
‘ the unanimous determination of all the judges
‘ of the court of King’s Bench I am restored
‘ to my birth-right, to the noble liberties and
‘ privileges of an Englishman. The outlawry,
‘ which is now reversed, has appeared clearly
‘ to be an act of equal injustice and cruelty,
‘ from the very beginning erroneous and ille-
‘ gal. In the whole progress of ministerial
‘ vengeance against me for several years, I have
‘ shewn, to the conviction of all mankind, that
‘ my enemies have trampled on the laws, and
‘ been actuated by the spirit of tyranny and
‘ arbitrary power. The *general warrant*, under

* See North Briton, No. 113, 114, and 115.

‘ which I was first apprehended, has been ad-
 ‘ judged illegal. The *seizure* of my *papers*
 ‘ was condemned judicially. The *outlawry*,
 ‘ so long the topic of virulent abuse, is at last
 ‘ declared to have been contrary to law; and
 ‘ on the ground first taken by my learned coun-
 ‘ sel, Mr. serjeant Glynn, is formally reversed.
 ‘ It still remains in this public cause, that the
 ‘ justice of the nation should have place against
 ‘ the first and great criminal, the late secretary
 ‘ of state, lord Halifax, not so much for the pu-
 ‘ nishment he has merited, as for the example
 ‘ of terror to any present or future minister,
 ‘ who might otherwise be tempted to invade the
 ‘ sacred liberties of our country. I pledge my
 ‘ self to you, that my strongest efforts shall be
 ‘ exerted to carry this through with a spirit and
 ‘ firmness becoming an affair of national conse-
 ‘ quence, yet without the smallest degree of
 ‘ private rancour or malice, which neither my
 ‘ long and hard imprisonment, nor the past
 ‘ provocations, shall make me harbour against
 ‘ any man.

‘ At the end of this tedious and harsh con-
 ‘ finement, I hope, gentlemen, to pass the rest
 ‘ of my life a freeman among you, my freeborn
 ‘ countrymen; and, give me leave to declare,
 ‘ that on every emergency, whenever the rights
 ‘ of the people are attacked, I shall be ready
 ‘ to stand forward, and to risk all for what
 ‘ is nearest to my heart, the freedom of Eng-
 ‘ land. In this glorious cause we are equally
 ‘ engaged

‘ engaged. We have only one common in-
‘ terest, that of our country, its laws, and li-
‘ berties, and in consequence, the preservation
‘ of our Sovereign, and the Brunswick line.
‘ These objects we will readily pursue, and
‘ freedom shall not perish among us, neither
‘ by the treachery and corruption of ministers,
‘ nor by the fate of arms, while we remain
‘ men and Englishmen.

‘ I observe, gentlemen, in the speech of the
‘ lords commissioners at the opening of this
‘ parliament, that *no matters of general business*
‘ are to come on this session, before the winter,
‘ I beg to be honoured with your commands
‘ for the next session on any points of impor-
‘ tance, which you may judge proper to be sub-
‘ mitted to the great council of the nation, ei-
‘ ther respecting the kingdom in general, or
‘ our county in particular. In all our com-
‘ mon concerns I entreat for myself your can-
‘ dour and indulgence, of which I feel that I
‘ stand in great need. My views, however,
‘ will be approved by you, for they shall be
‘ public spirited, and in no instance selfish or
‘ partial. I would not for a moment lie under
‘ the suspicion of a mean, private, interested
‘ plan of conduct or personal ambition. I am
‘ determined to remain entirely independent,
‘ uncorrupted, even unbiassed in an improper
‘ manner, and never to accept from the crown,
‘ either place, pension, gratuity or emolument
‘ of any kind. I will live and die in your
‘ service,

N 3

‘ service, a private gentleman, perfectly free,
 ‘ under no controul but the laws, under no
 ‘ influence but yours, and I hope by your fa-
 ‘ vour and kindness, one of the representa-
 ‘ tives of parliament for the county of Middle-
 ‘ sex. On these terms only I expect through
 ‘ life the continuance of your support, as well
 ‘ as the favourable opinion of you, and all other
 ‘ good men, the friends of liberty and of my
 ‘ country.

‘ I am, GENTLEMEN,
 ‘ With gratitude and esteem,
 ‘ Your faithful and obedient
 ‘ Humble servant,

‘ King’s Bench prison,
 ‘ Saturday, June 18, 1768.

‘ JOHN WILKES.’

The court of Common Pleas was moved, June 20, by Mr. serjeant Nares, for an attachment against the printer of the Gazetteer, for publishing the above address to the Gentlemen, Clergy, and Freeholders of the county of Middlesex, as he apprehended the same tended to inflame the jury of the county, before whom the cause was to be tried. The court asked him,—“ Whether he made that motion on
 “ behalf of the Attorney-General?” Which he averring, the address was read, and the court
 declared

declared that they did not see any thing justly deserving censure, and refused the attachment.

The same day the court of Common Pleas was moved, that, as Mr. Wilkes's outlawry was now reversed, he might be at liberty to withdraw his demurrer to Lord Halifax's plea and reply ; but the court were of opinion, that it was proper to give a term's notice of this motion, and Mr. Wilkes's attorney gave notice accordingly.

A N A D D R E S S .

*To the gentlemen, clergy, and freeholders of the
county of Middlesex.*

‘ Gentlemen,

‘ I cannot suppress the emotions of a grate-
‘ ful heart. I must pay you my best tribute
‘ of thanks for the many proofs of a noble and
‘ generous friendship, which you have con-
‘ tinued to me in this prison now for above six
‘ months. I will not lament my past suf-
‘ ferings, nor even a harsh and cruel sentence,
‘ because that I find your favour and protection
‘ are extended to me in proportion to the en-
‘ crease of the persecutions I undergo. Every
‘ day gives a fresh mark of your kindness and
‘ affection ; I trust that I may add likewise, of
‘ my firmness in the cause, as well as steady
‘ attachment of my friends, the supporters of
‘ freedom,

‘ freedom, and the constitution of our native
‘ country.

‘ The parliament being summoned to meet
‘ the next week for the dispatch of business,
‘ I think it my duty to submit to you the par-
‘ ticulars of my future conduct. I mean, to
‘ petition the *House of Commons*, as the grand
‘ inquest of the nation, in the full hope of a
‘ redress of all my grievances, which have arisen
‘ from various acts of arbitrary power exerted
‘ by the ministers, the illegalities respecting the
‘ two trials, and especially the alteration of the
‘ records. I have already lodged an appeal
‘ against the two sentences before the *House of*
‘ *Lords*, as the supreme judicature of this king-
‘ dom, and I shall bring before their Lordships
‘ the whole state of the legal proceedings, which
‘ I believe are no less erroneous and invalid
‘ than those have already been declared to be,
‘ which respected the outlawry. The meeting
‘ of parliament will suspend the important pub-
‘ lic cause against *Lord Halifax*, which cannot
‘ be tried till the term following the next pro-
‘ rogation.

‘ I look forward, gentlemen, to the happy
‘ moment of regaining my freedom, and of
‘ giving you in a British senate the clearest
‘ demonstration that the principles of Liberty
‘ have taken a deep root in my heart. You
‘ shall find me a faithful guardian of the civil
‘ and religious liberties of the people of Eng-
‘ land, strenuous and unwearied in my endea-
‘ vours

‘ yours to destroy all the remains of despotic
‘ power among our free-born countrymen.
‘ I shall think it a glorious reward of my toils,
‘ if, in one instance only, a point of the ut-
‘ most moment, grand juries may, through my
‘ efforts, recover the power and right given
‘ them by the first principles of the constitu-
‘ tion, which are at present entirely lost in the
‘ mode of proceeding by *information*, so long,
‘ to the great grievance of the subject, practised
‘ both by the Attorney-general and the judges
‘ of the court of King’s Bench. In this, and
‘ every other point of national liberty, I shall
‘ earnestly beg your assistance. I hope at all
‘ times in public business to have the advan-
‘ tage of your counsels to perfect the plan of
‘ securing and guarding the liberties of the freest
‘ nation in the world, against future attacks of
‘ wicked ministers, or even encroachments of
‘ the crown; which security can only be ob-
‘ tained by the most wholesome laws and the
‘ wisest regulations, built on the firm basis of
‘ *Magna Charta*, the great preserver of the lives,
‘ freedom, and property of Englishmen.

‘ I am, GENTLEMEN,

‘ Under encreasing obligations,

‘ Your faithful and obedient

‘ Humble servant,

‘ King’s Bench prison, -

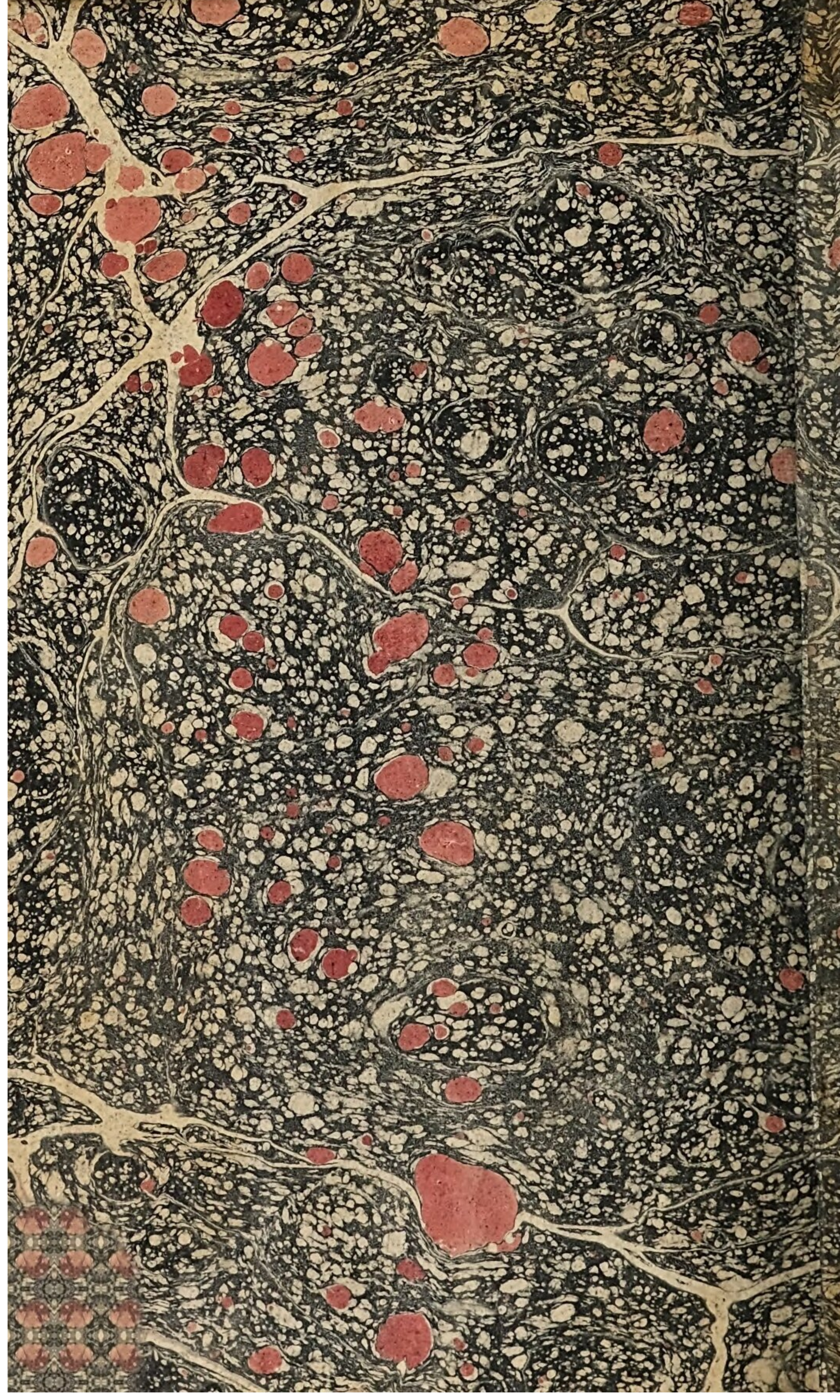
‘ Thursday, Nov. 3, 1768.

‘ JOHN WILKES.’

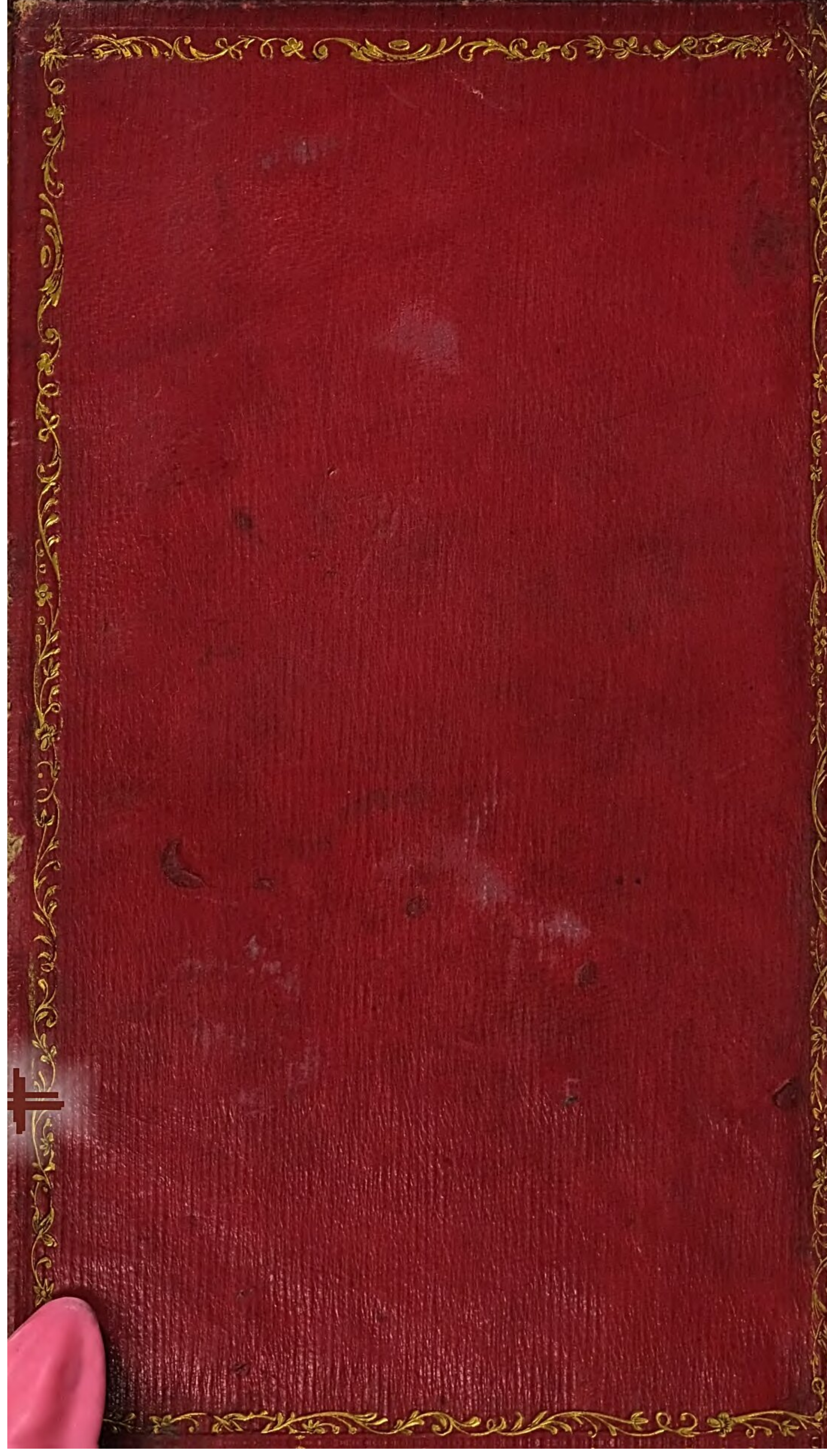
202 *Proceedings against Mr. W. to 1768, concluded.*

Thus have we given, to the best of our Ability, a distinct and accurate Account of all the Proceedings against Mr. Wilkes to the 3d of November 1768. Those which follow that period will be found in the succeeding Numbers of the North Briton.

END OF THE FIRST VOLUME.







Wilkes, John

<<The>> North Briton

Bd.: 3

London 1772

Bamberg, Staatsbibliothek -- Misc.hist.o.28-a(3
urn:nbn:de:bvb:12-bsb11741217-5